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## House of Representatives

The House met at noon and was called to order by the Speaker.

### PRAYER

The Chaplain, the Reverend Margaret Grun Kibben, offered the following prayer:

Holy God, inspire us as we sing ancient choruses of the simple and the wise, who had much to fear, and even more to find;

Who stepped into the darkness to follow Your light, guided by angels, consoled in their fright.

Speak to us anew as we share the same stories each year, that somehow new tales of faith would be heard—even here—of people who relied fiercely on hope and a prayer, when the world around them knew little more than destruction and despair.

Fill us with the joy of children who delight in the laughter and light of this holiday season, that we would, with the same trusting hearts, receive the love You call us to believe in.

With the promise of Your salvation, we place our deepest yearnings in Thy tender care.

Redeem our world this day.

In Your most holy name, Lord, hear our prayer.

Amen.

### THE JOURNAL

The SPEAKER. Pursuant to section 11(a) of House Resolution 188, the Journal of the last day's proceedings is approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from California (Ms. LOFGREN) come forward and lead the House in the Pledge of Allegiance.

Ms. LOFGREN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### REPORT ON RESOLUTION RELATING TO THE CONSIDERATION OF HOUSE REPORT 117-217 AND AN ACCOMPANYING RESOLUTION

Mr. RASKIN, from the Committee on Rules, submitted a privileged report (Rept. No. 117-217) on the resolution (H. Res. 848) relating to the consideration of House Report 117-216 and an accompanying resolution, which was referred to the House Calendar and ordered to be printed.

### RELATING TO THE CONSIDERATION OF HOUSE REPORT 117-216 AND AN ACCOMPANYING RESOLUTION

Mr. RASKIN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 848 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 848

*Resolved*, That if House Report 117-216 is called up by direction of the Select Committee to Investigate the January 6th Attack on the United States Capitol: (a) all points of order against the report are waived and the report shall be considered as read; and (b)(1) an accompanying resolution offered by direction of the Select Committee to Investigate the January 6th Attack on the United States Capitol shall be considered as read and shall not be subject to a point of order; and (2) the previous question shall be considered as ordered on such resolution to adoption without intervening motion or demand for division of the question except one hour of debate equally divided among and controlled by Representative Thompson of Mississippi, Representative Cheney of Wyoming, and an opponent, or their respective designees.

The SPEAKER pro tempore (Mr. CARSON). The gentleman from Maryland is recognized for 1 hour.

Mr. RASKIN. Mr. Speaker, for the purpose of debate only, I yield the cus-

tomary 30 minutes to the gentlewoman from Minnesota (Mrs. FISCHBACH), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

#### GENERAL LEAVE

Mr. RASKIN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. RASKIN. Mr. Speaker, today the Rules Committee met and reported a rule, House Resolution 848. The rule provides for consideration of the resolution accompanying House Report 117-216, under a closed rule if the report is called up by direction of the Select Committee to Investigate the January 6th Attack on the United States Capitol.

It provides 1 hour of debate equally divided among and controlled by Chair THOMPSON, Vice Chair CHENEY, and an opponent.

Mr. Speaker, after producing 9,000 pages of documents that he conceded to be nonprivileged in any way; after saying he would comply with the subpoena to appear before the January 6th committee on December 8; after negotiating and rendering preliminary cooperation with the January 6th committee, Mark Meadows' book came out with tons of startling and eye-popping revelations about January 6th and the role that then-President Donald Trump played.

Ex-President Trump exploded and called Mr. Meadows' book fake news. Amazingly, Mr. Meadows agreed that his book was fake news, and then he suddenly pulled the plug on his agreement to testify in formal deposition before our committee on December 8.

Instead, he went to court and alleged that our committee has no valid legislative purpose.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Mr. Speaker, Mr. Meadows' sudden vanishing act is plainly a delay tactic designed to run out the clock on one of the most important investigations in the history of the United States of America. If we don't have a legislative purpose in investigating the most sweeping, violent attack on the U.S. Capitol since the War of 1812, and the most serious and most dangerous threat to American constitutional democracy since the Civil War, then we really don't have a legislative purpose for anything we do here.

If this investigation into a dangerous assault on the American Government is not necessary and proper under our Constitution, then nothing is. Article I, Section 8, Clause 15 of the Constitution gives Congress of the United States the power to provide for: calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

Obviously, we have a legislative purpose in what we are doing to investigate an attack on this building, on this Chamber where more than 140 of our officers were wounded and injured, hospitalized, people came back with broken necks, broken jaws, broken vertebrae, broken arms, broken legs, traumatic brain injuries, and to this day, continue to suffer from post-traumatic stress syndrome.

The counting of electoral college votes was interrupted for the very first time in American history for several hours. This was the most serious, destabilizing, domestic threat to American constitutional democracy that any of us have seen in our lifetimes.

Now, the committee has bent over backwards to accommodate Mr. Meadows' multiple requests. It is now clear he has no intention of complying with the subpoena, even when his testimony could have no theoretical connection to an executive privilege claim. This is the key point.

He is categorically refusing to show up to testify about 9,000 pages of documents that he has already turned over to the committee and for which he has thus nullified any hypothetical assertions of executive privilege by President Biden, or a former President. He is refusing to testify about statements that he made in his book that are now all over the country, published last week, and that he has repeated in the media about what took place on January 6.

He is willing to talk about it in his book. He is willing to talk about it in public, but he is unwilling to undergo the questioning of our committee despite having been subpoenaed to do so in deposition.

This is another category of statements which has nothing to do with executive privilege because it has already been completely waived, completely obviated, and completely nullified by his own actions.

This witness, Mr. Speaker, must testify. He must come and render truthful, honest, and complete testimony

like 300 other witnesses before him have done, either voluntarily and patriotically, as the vast majority have done, or at least under compulsion of a legal subpoena.

The Supreme Court has been perfectly clear about that. We have the same authority to ask for people's testimony that a court does in pursuit of our official constitutional duties. And if anyone we have called as a witness knows in his bones that he must testify before this committee, it is Mr. Meadows himself, a former member of this body who repeatedly through his career in Congress insisted that high-ranking executive branch officials must comply with congressional demands for information and congressional subpoenas for their testimony.

By the way, you don't get to choose and say: Well, I will send you my documents, but I am not going to testify. That is not how going before Congress works or going before a court works.

In the last administration, multiple times, Mr. Meadows found high-ranking officials hiding information from Congress, withholding relevant documents, or "even outright ignoring congressional subpoenas."

And here is what he had to say about that: "This level of conduct, paired with the failure to even feign an interest in transparency, is reprehensible. And whether you're a Republican or a Democrat, this kind of obstruction is wrong, period."

"For 9 months we've warned them consequences were coming, and for 9 months we've heard the same excuses backed up by the same unacceptable conduct. Time is up and the consequences are here."

We have multiple statements by Mr. Meadows like that, who was a distinguished member of the Oversight and Reform Committee. He, of all Members, continually insisted that people and high-ranking government officials respect the authority of Congress to do its job.

Our investigative powers are implicit in, and intertwined with our powers to legislate as the Supreme Court has repeatedly emphasized.

The Meadows' lawsuit against individual members of this committee is extremely dubious in light of the Speech or Debate Clause and multiple other constitutional roadblocks, and its substantive allegations are frivolous, such as the central absurd claim that Congress has no legitimate purpose in investigating and reporting to the American people on a violent attack on our Capitol, our Presidential election, and on the peaceful transfer of power.

We must hold him in contempt for his refusal to participate in these proceedings, and I reserve the balance of my time.

Mrs. FISCHBACH. Mr. Speaker, I thank my colleague from Maryland and from the Rules Committee for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, once again, the select committee is acting to fulfill a predetermined narrative. It seems increasingly clear that my colleagues on the other side of the aisle want to prolong this political process to distract Americans from the very real issues concerning this country.

We have record-high inflation, a flood of immigrants at our southern border, a workforce and supply chain crisis, and instead of working toward real ways we can combat these crises, or, in fact, even admitting that these crises exist, we are back here, arguing if we should continue down a path of yet another partisan investigation of questionable motive and purpose.

□ 1215

That said, there are several questions that need to be resolved before we can continue with this vote. The courts have found that the power rests with Congress over subpoenas to private individuals if they serve a legitimate legislative purpose.

A legitimate legislative purpose would be issuing subpoenas to the leaders of the D.C. National Guard and the Sergeant at Arms so that we can find out what gaps in communications and authorities need to be filled and find solutions to ensure this doesn't happen again.

But have those been issued? Unfortunately not. Instead, House Democrats are continuing their witch hunt into President Trump and their political opponents who voted against the certification of the election, something that they themselves did just 4 years before.

What information is intended to be gathered that would be useful for a legitimate legislative purpose? It seems the majority keeps moving the goalposts for what qualifies them to hold someone in contempt.

This recipient has been cooperative, providing almost 9,000 pages of emails and other documents. But when the majority couldn't find what they wanted, the committee subpoenaed Verizon, looking for other information from his personal phone, invading his privacy.

There is no valid legislative purpose for this subpoena. Where does it stop? When will they be satisfied with the information they receive? They cannot continue punishing people just because they aren't getting the answers that they want.

Furthermore, criminal contempt is not subpoena enforcement. This decision will still not achieve the stated intent of obtaining the records.

The committee should seek a civil judgment and legally obligate a person to comply with the subpoena. Instead, my colleagues are going forward with this political ploy. Holding someone in criminal contempt is purely punitive. It leads me to wonder what the real mission of this committee is.

Unfortunately, Speaker PELOSI and the Democrats made it clear early on that this committee and its investigation were predestined to be a sham

when it tilted representation in favor of Democrats, rejecting two Republican Members selected to serve on the commission by the minority leader.

Mr. Speaker, I am deeply concerned about the precedent being set today because the majority is blinded by their own political agenda. I urge my colleagues to oppose this rule and the underlying resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield myself such time as I may consume.

First of all, on the matter of the phone records, what has been subpoenaed is simply the metadata establishing where the phone calls were going amongst different parties that were involved in the January 6 insurrection and the attempted political coup against Vice President Pence, but not the actual communications themselves. There has not been a single word that has been subpoenaed from the telephone companies of the actual conversations that took place.

All of that, in any event, is an irrelevant distraction. Let's be very clear about what is going on here, Mr. Speaker. Mr. Meadows began to cooperate. He turned over 9,000 documents of extraordinary relevance to this investigation. We were getting exactly what we wanted, up until the point at which he pulled the plug on his participation.

Look at some of the texts which we released over the last 24 hours that came in as part of his discovery with the committee. This is from some Republican lawmakers and others:

"We are under siege up here at the Capitol," was one text he received.

"They have breached the Capitol."

"Mark, protesters are literally storming the Capitol. Breaking windows on doors. Rushing in. Is Trump going to say something?"

"There's an armed standoff at the House Chamber door."

"We are all helpless."

Here is what came in from some members of the media that Mr. Meadows turned over to the committee.

Laura Ingraham: "Mark, the President needs to tell people in the Capitol to go home. This is hurting all of us. He is destroying his legacy."

Brian Kilmeade sent this to Mark Meadows: "Please get him on TV. Destroying everything you have accomplished."

Here is Sean Hannity: "Can he make a statement? Ask people to leave the Capitol."

Trump family members also were texting, according to the materials turned over by Mark Meadows. Donald Trump, Jr.: "He's got to condemn this" excrement "ASAP. The Capitol Police tweet is not enough." Meadows responding: "I'm pushing it hard. I agree." Donald Trump, Jr.: "We need an Oval Office address. He has to lead now. It has gone too far and gotten out of hand."

Mr. Speaker, all of these texts and hundreds more like them lead to hun-

dreds of questions that we have about the sequence of events on January 6: Who did what in response to different pleas from lawmakers, Democrat and Republican alike? Who did what in response to these pleas coming in from members of the media and from members of the Trump family? What was the sequence of events? How was the National Guard involved? How did this interact with other parts of the Federal Government?

Then Mr. Meadows, though, did a U-turn when Donald Trump called his book "fake news." Meadows decided to agree with him and hurriedly said it was fake news and then said he would not appear on December 8, a date, by the way, which had been postponed from two other dates to testify because we wanted to accommodate his schedule and the schedule of his lawyer. But now he decides to go completely cold.

They are left in a completely untenable posture legally because he is refusing to testify about things that he has already conceded there is no privilege covering. He has said: None of this is privileged. I am turning it over to you.

We want to ask him questions about it, and now, suddenly, he runs back to the idea that there is some privilege, although one can see his eroding faith in that argument as the D.C. Circuit rejected the claims of executive privilege unanimously in *Trump v. Thompson*.

So now that is why he is saying we have no legitimate legislative purpose, which is perfectly absurd. If we don't have a legislative purpose in defending our own institution, our own Constitution, our own government, then we have no legislative purposes here at all if we can't even have an investigation into an attack that goes to the very survival of our form of government.

Mr. Speaker, Mark Meadows has to testify. He has to come in like 300 American citizens have patriotically and lawfully done. What makes him special? The fact that he knows a former President of the United States? I am afraid not.

In *Jones v. Clinton*, a case that my colleagues applauded on the other side of the aisle, the Supreme Court held that even a sitting President of the United States is not immune to civil actions, even a sitting President.

We don't have an office of former President. When you are no longer President of the United States, under our Constitution, you are a citizen like everybody else. You can't wave a magic wand over your friends and say that they don't have to comply with lawful subpoenas.

So this witness is in contempt of our committee and the United States Congress.

Mr. Speaker, I reserve the balance of my time.

Mrs. FISCHBACH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if we defeat the previous question, Republicans will offer

an amendment to the rule to provide for the additional consideration of H.R. 2729, the Finish the Wall Act, authored by Representative HIGGINS.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment into the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mrs. FISCHBACH. Mr. Speaker, while the majority is playing their political games in Washington, a real crisis situation at our southern border remains. Illegal immigration is at a record high, and there are real human costs associated with that.

Between the dangerous journey to get to our border and the dangerous people coming across and continuing to commit crimes, people are dying in huge numbers because of this crisis.

It is no secret that fentanyl is coming across the southern border. This year, Border Patrol has seized twice as much of this deadly drug as last year, and more than 100,000 Americans have died from overdoses.

Because we essentially have an open border, there is no way to effectively keep criminals from crossing into our country.

Immigrants need to know there is a process for becoming an American and doing it in the wrong way will have consequences.

Finishing the wall would be a huge deterrent for these bad actors. We must finish the wall to slow the massive numbers of illegal immigrants we are seeing before we can have a serious conversation about immigration reform.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. TONY GONZALES).

Mr. TONY GONZALES of Texas. Mr. Speaker, I rise today in opposition to the previous question and to further highlight the failed border policies inflicted on the American people by President Biden's administration.

Border security is national security. My district is over 820 miles of the southern border, over 40 percent of our entire border with Mexico.

Every day, I see the challenges my constituents face because this administration has failed to protect them and failed to prioritize their safety as American citizens.

Every day, I hear from Border Patrol agents about the struggles that they face because of a lack of resources and their demanding work schedules.

Every day, I talk to constituents and border-town mayors who share their troubling experiences in dealing with burglaries and high-speed car chases.

Enough fentanyl has been seized at the border to kill every American in the United States.

Enough is enough. The Biden administration's failed policies and open-border rhetoric have led to a historic

surge in illegal immigration. We need to find a permanent solution that combines border security and legal immigration. So long as I am in Congress, I will fight every day to ensure that we secure the southern border.

Mr. RASKIN. Mr. Speaker, I yield myself such time as I may consume.

I appreciate, of course, the temptation to just change the subject and talk about something completely different because there are no arguments left on their side.

The D.C. Circuit Court of Appeals in the Trump v. Bennie Thompson case, in an opinion of more than 50 pages, reviewed all the arguments on both sides about executive privilege and said executive privilege is a claim which, of course, belongs primarily and principally to the existing President of the United States, not to a former President of the United States. To the extent that a former President of the United States can raise it, the presumption is that the people in our constitutional democracy have a right to all the information they seek in order to govern themselves.

That is what the investigative power of Congress is about. We have a right to obtain the information we need in order to legislate. So the presumption is that we get it. That can only be overcome if a sitting President—or in perhaps some exceptional cases, a former President—demonstrates there is some compelling need that would override the fundamental right of the people to get the information we want.

The D.C. Circuit panel found unanimously that not only had they not shown there was a compelling need on Donald Trump's team, they didn't even identify a potentially compelling need. Of course, there isn't one. Why? The Supreme Court has already found that executive privilege does not cover criminal activity; much less could executive privilege cover insurrectionary activity or activity designed to promote an insurrection or a coup against the United States of America.

So I welcome my colleagues talking about anything else because it simply demonstrates their abandonment of the executive privilege argument, an argument also that has been abandoned by Mr. Meadows himself, who voluntarily turned over 9,000 pages worth of documents to our committee, thereby saying there was no privilege at all.

But now he is refusing to testify about it, apparently because of Donald Trump's explosive reaction to the publication of Mark Meadows' book. I am sorry, that is not a constitutional defense to being called to testify before Congress. You can't say a former President is mad at me and wants to wave a magic wand so I don't have to testify. That doesn't work in our system of government.

Mr. Meadows must come and testify, like hundreds of people have come to testify before our committee about this brutal attack on our system of government.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the distinguished gentleman of the January 6 Select Committee for yielding.

I serve as the chair of the Subcommittee on Crime, Terrorism, and Homeland Security, which, collectively with the Judiciary Committee, may ultimately be addressing the legislative aspect of what we are here for.

In particular, Mr. Speaker, this is a very sad day. I served with our former colleague, Mr. Meadows, a Member of the United States Congress. I believe that it was a number of years that he rose and took an oath to the Constitution of the United States of America.

□ 1230

In that oath he should have recognized the fact that the Article I body which we stand in today indicates that all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

All legislative powers. In order to have legislative powers, one must have the facts. That is what is being asked for today.

I think the American people need to understand that although there may be many concerns—I am from Texas as well; I know the border is not in crisis. It should be addressed. We as Texans know how to address it, and President Biden and Vice President HARRIS know how to address it, as other Presidents have. People are fleeing for their lives.

But our Constitution says of the Congress “to make all Laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.”

We are vested with a lot of powers. One of them is to be able to find the truth, to determine how we preserve our democracy, and how we need to legislate to do so. So I stand on the Constitution as I proceed with why we should move forward.

Again, this is a very sad day, but Mark Randall Meadows, former White House chief of staff, had a part in the perpetration of the big lie of the election fraud, and we must investigate it. Mr. Meadows was one of a relatively small group of people who witnessed the events of January 6 in the White House with the former President. He was there. Firsthand knowledge.

Some of these that I will recite have already been recited, but they are only a small measure with the huge bounty of documents that he and his lawyer consented to give to this committee. Consented to give. Consented to give. Voluntarily.

And so one must understand that when you do that, there is a question of waiver of the so-called alleged privilege that you are alleging, the executive

privilege. But the courts have already indicated that the privilege lies with the existing President, not the former President.

With that in mind, should we not recognize that the very allies, the media allies of the President—the former President, Laura Ingraham said to Mark, “The President needs to tell people in the Capitol to go home. This is hurting all of us.”

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. RASKIN. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman from Texas.

Ms. JACKSON LEE. Brian Kilmeade, “Please get him on TV. Destroying everything you have accomplished.”

Sean Hannity, “Can he make a statement?”

And Donald Trump Jr., in profanity, said, Please help us.

But I want to just say, the United States v. Bryan says, “A subpoena has never been treated as an invitation to a game of hare and hounds, in which the witness must testify only if cornered at the end of the chase. If that were the case, then, indeed, the great power of testimonial compulsion, so necessary to the effective functioning of courts and legislatures, would be a nullity. We have often iterated the importance of this public duty, which every person within the jurisdiction of the Government is bound to perform when properly summoned.” We must do this, sadly, in order for his remarks to save the democracy to be heard.

Mr. Speaker, as a senior member of the Committees on the Judiciary, on Homeland Security, and on the Budget, I rise in support of the rule governing debate for H. Res. 851, “Recommending That The House of Representatives Find Mark Randall Meadows In Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Select Committee to Investigate the January 6th Attack on The United States Capitol.”

It is with a heavy heart that I stand here today; this resolution will find a former colleague in contempt of the very body he once faithfully served.

However, protecting our democracy is the ultimate duty for each of us in this body, so we will do what must be done.

It is my sincere hope that during the course of this day, Mr. Meadows will reverse course and agree to comply with this lawful subpoena, in order to protect the dignity and sanctity of Congress.

On January 6th, the domestic terrorists who beat law enforcement officers and breached the Citadel of democracy of the United States proudly wore symbols of White Supremacist groups, waved confederate flags, hung a noose on the lawn, and they shouted racial epithets.

Mark Randall Meadows, former White House Chief of Staff, had a part in the perpetuation of the Big Lie of election fraud, and we must investigate and report upon the facts, circumstances, and causes “relating to the interference with the peaceful transfer of power” that Mr. Meadows was involved in.

Mr. Meadows was one of a relatively small group of people who witnessed the events of



January 6 in the White House and with the former president.

Mr. Meadows was with the former president on January 6 as he learned about the attack on the U.S. Capitol and decided whether to issue a statement that could stop the rioters.

In fact, according to documents already handed over to the Committee, as the violence at the Capitol unfolded, Mr. Meadows received many messages encouraging him to have the former president issue a statement that could end the violence.

According to the records, multiple Fox News hosts, and the former president's son knew that the former president needed to act immediately.

They texted Mr. Meadows, and he turned over these texts to this Committee.

These are some of those texts:

Laura Ingraham texted, "Mark, the president needs to tell people in the Capitol to go home. This is hurting all of us. He is destroying his legacy."

Brian Kilmeade texted, "Please, get him on TV destroying everything you have accomplished."

Sean Hannity texted, "Can he make a statement? Ask people to leave the Capitol."

Donald Trump Jr. texted, "he's got to condemn this shit ASAP. The Capitol Police tweet is not enough."

To this last text, Meadows responded, "I'm pushing it hard. I agree."

One former White House employee reportedly contacted Mr. Meadows several times and told him, "[you guys have to say something. Even if the president's not willing to put out a statement, you should go to the [cameras] and say, 'We condemn this. Please stand down.' If you don't, people are going to die.]"

As time passed without the former president intervening, Donald Trump Jr. again texted, "we need an Oval Office address. He has to lead now. It has gone too far and gotten out of hand."

But still, hours passed without necessary action by the president.

Moreover, Mr. Meadows reportedly spoke with Kashyap Patel, who was then the chief of staff to former Acting Secretary of Defense Christopher Miller, "nonstop" throughout the day of January 6.

Mr. Meadows apparently knows if and when the former president was engaged in discussions regarding the National Guard's response to the Capitol riot, a point that is contested but about which Mr. Meadows provided documents to the Select Committee and spoke publicly on national television after the former president left office.

But Mr. Meadows knows much more than just what happened during the attack.

Prior to the January 6 attack, Mr. Meadows received text messages and emails regarding apparent efforts to encourage Republican legislators in certain States to send alternate slates of electors to Congress, a plan which one Member of Congress acknowledged was "highly controversial" and to which Mr. Meadows responded, "I love it."

Mr. Meadows traveled to Georgia to observe an audit of the votes days after then-the former president complained that the audit had been moving too slowly and claimed that the signature-match system was rife with fraud. That trip precipitated the former president's calls to Georgia's deputy secretary of state and, later, secretary of state.

In the call with Georgia's secretary of state, which Mr. Meadows joined, the former president pressed his unsupported claims of widespread election fraud, including claims related to deceased people voting, forged signatures, out-of-State voters, shredded ballots, triple-counted ballots, Dominion voting machines, and suitcase ballots, before telling the secretary of state that he wanted to find enough votes to ensure his victory.

Mr. Meadows was chief of staff during the post-election period when other White House staff, including the press secretary, advanced claims of election fraud.

In one press conference, the press secretary claimed that there were "very real claims" of fraud that the former president's re-election campaign was pursuing and said that mail-in voting was one that "we have identified as being particularly prone to fraud."

Mr. Meadows participated in a meeting that reportedly occurred on December 18, 2020, with the former president, the White House counsel, an attorney associated with the campaign, White House staff, and private citizens, on proposals relating to challenging the 2020 election results.

Mr. Meadows reportedly sent an email—subject line: "Constitutional Analysis of the Vice President's Authority for January 6, 2021, Vote Count"—to a member of then-Vice President Pence's senior staff containing a memo written by an attorney affiliated with the former president's re-election campaign.

The memo argued that the Vice President could declare electoral votes in six States in dispute when they came up for a vote during the Joint Session of Congress on January 6, 2021, which would require those States' legislatures to send a response to Congress by 7 p.m. EST on January 15 or, if they did not, then congressional delegations would vote for the former president's re-election.

Mr. Meadows was in contact with at least some of the private individuals who planned and organized a January 6 rally, one of whom reportedly may have expressed safety concerns to Mr. Meadows about January 6 events.

It is apparent that Mr. Meadows's testimony and document production are of critical importance to the Select Committee's investigation, and Congress, through the Select Committee, is entitled to discover facts concerning what led to the attack on the U.S. Capitol on January 6, as well as White House officials' actions and communications during and after the attack.

Mr. Meadows is uniquely situated to provide key information, having straddled an official role in the White House and unofficial role related to the former president's reelection campaign since at least election day in 2020 through January 6.

Mr. Meadows was required under federal law to turn over documents to investigators and appear for a deposition in accordance with a subpoena the committee issued, but he did not comply by the dates set in the subpoena.

An individual—whether a member of the public or an executive branch official—has a legal (and patriotic) obligation to comply with a duly issued and valid congressional subpoena, unless a valid and overriding privilege or other legal justification permits noncompliance.

In *United States v. Bryan*, the Supreme Court stated:

A subpoena has never been treated as an invitation to a game of hare and hounds, in which the witness must testify only if cornered at the end of the chase. If that were the case, then, indeed, the great power of testimonial compulsion, so necessary to the effective functioning of courts and legislatures, would be a nullity. We have often iterated the importance of this public duty, which every person within the jurisdiction of the Government is bound to perform when properly summoned.

The Select Committee seeks testimony from Mr. Meadows on information for which there can be no conceivable privilege claim.

In fact, the non-privileged nature of some key information has been recognized by Mr. Meadows's own documents which he has previously handed over to the Committee.

Congress is entitled to Mr. Meadows's testimony on that information, regardless of his claims of privilege over other categories of information.

In *United States v. Nixon*, 418 U.S. 683, 703–16 (1974), the Supreme Court recognized an implied constitutional privilege protecting presidential communications.

The Court held though that the privilege is qualified, not absolute, and that it is limited to communications made "in performance of [a President's] responsibilities of his office and made in the process of shaping policies and making decisions."

Mr. Meadows has refused to testify in response to the subpoena ostensibly based on broad and undifferentiated assertions of various privileges, including claims of executive privilege purportedly asserted by former-President Trump.

However, his claims of testimonial immunity and executive privilege do not justify Mr. Meadows's conduct with respect to the Select Committee's subpoena.

His legal position is untenable in light of Mr. Meadows's public descriptions of events in the book that he is trying to sell and during his numerous television appearances, and his own previously produced documents.

Even if privileges were applicable to some aspects of Mr. Meadows's testimony, he was required to appear before the Select Committee for his deposition, answer any questions concerning non-privileged information, and assert any such privilege on a question-by-question basis.

After promising to appear, Mr. Meadows has now reversed course and resumed his contemptuous behavior.

Mr. Meadows's conduct in response to the Select Committee's subpoena constitutes a violation of the contempt of Congress statutory provisions.

The contempt of Congress statute makes clear that a witness summoned before Congress must appear or be "deemed guilty of a misdemeanor" punishable by a fine of up to \$100,000 and imprisonment for up to one year.

Further, the Supreme Court has emphasized that the subpoena power is a "public duty, which every person within the jurisdiction of the Government is bound to perform when properly summoned."

The Supreme Court also recently reinforced this clear obligation by stating that "when Congress seeks information needed for intelligent legislative action, it unquestionably remains the duty of all citizens to cooperate."

DOJ's legitimacy and effectiveness depends on the public's confidence that its administration and enforcement of federal laws is done

impartially, free from actual or perceived partisan or political influence.

Mr. Speaker, the January 6 insurrection caused tragic loss of life and many injuries, while leaving behind widespread physical damage to the Capitol Complex and emotional trauma for Members, congressional employees, and the Capitol Police.

It bears repeating often that the Congress and the Nation owe undying gratitude to the men and women who answered the call of constitutional duty and heroically won the day on that bloody and deadly afternoon.

Mr. Speaker, the domestic terrorists and secessionists who attacked the Capitol Building on January 6, 2021 were not, as some of their ardent defenders and apologists across the aisle have stated falsely, on a “normal tour visit”; nor was their effort to lay siege to the Capitol and disrupt the processes of government an act of persons who love their country.

And it is absurd to suggest that it was a celebration of the United States and what it stands for when the leading edge of terrorists desecrated the Capitol by offensively parading the treasonous Confederate flag through the building and when, because of their insurrection, several members of law enforcement made the supreme sacrifice and scores more were seriously injured.

Mr. Speaker, we owe it not just to those who lost their lives on January 6th, but to all Americans to figure out what happened and how that day came to be.

We must understand that day in order to prevent the intended purpose of the January 6 insurrection—to disrupt the Joint Meeting of Congress to tally the votes of Presidential electors and announce the results to the Nation and the world—from every occurring again.

This attack on our Capitol Building was the greatest threat to the American experiment since the Civil War when the pro-slavery forces decided to wage war, rather than let the Nation survive, and the pro-freedom forces would accept war rather than let the Nation perish.

The Select Committee has diligently continued in their duty to determine the causes and events that transpired during the insurrectionist attack.

Specifically, the Select Committee's purposes include:

To investigate and report upon the facts, circumstances, and causes “relating to the January 6, 2021 domestic terrorist attack upon the United States Capitol Complex.”

To investigate and report upon the facts, circumstances, and causes “relating to the interference with the peaceful transfer of power.”

To investigate and report upon the facts, circumstances, and causes relating to “the influencing factors that fomented such an attack on American representative democracy while engaged in a constitutional process.”

Understanding the full role that Mr. Meadows played in the events that led up to the January 6th attack is crucial to preventing anything like this from ever happening again.

Rather than comply with Congress' inherent powers, and help heal the trauma this Nation witnessed on January 6th, Mr. Meadows has simply refused to comply with the Select Committee's subpoena.

Mr. Speaker, this should not be a partisan issue; it is the very power of Congress to investigate matters of issue that is at stake.

For this reason, I rise in total support of the rule governing debate for H. Res. 851, “Recommending That The House of Representatives Find Jeffrey Bossert Clark In Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Select Committee to Investigate the January 6th Attack on The United States Capitol.”

Mr. RASKIN. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentlewoman for her very insightful remarks. The committee has referred often to the passage that the gentlewoman identifies by the Supreme Court saying that a subpoena to come and testify is not an invitation to a game of hare and hounds. That is a little old-fashioned. Basically, the court is saying it is not a game of hide-and-seek or cat-and-mouse.

You are told to come and testify, and you must. That is what the vast majority of people have been doing in our investigation and the vast majority of Americans do all across the land when they are subpoenaed to come to court. It seems like a tiny handful of people who think that somehow they are above the law because they know a former President of the United States.

I am sorry, that is just not how our legal system works. We have no kings here, as Judge Chutkan emphasized at the district court in rejecting Donald Trump's claims against our committee. We have no kings here. Everyone is subject to the law. We have no nobles. We have no lords. Congress cannot award titles of nobility here. We are all equals, and we are all subject to the law. It is a crime in the District of Columbia not to comply with a subpoena, punishable by up to 1 year in jail and a \$100,000 fine. Very serious business. Now, if you think you have got some kind of legal privilege against testifying, like the marital privilege or the priest-penitent privilege or the doctor-patient privilege or the executive privilege, you come, you show up, you testify, and you invoke it as to a specific question.

Mr. Speaker, the reason why this case is overwhelmingly easy, we would argue 100 percent easy, is because we are talking about testimony by Mr. Meadows that he has been subpoenaed to give relating to 9,000 documents that he has already admitted are not privileged by the executive privilege or the Fifth Amendment or anything else. He has said, here, take them. This is evidence about what happened. And rightfully so did he do that.

I will express my personal disappointment that Donald Trump's explosive rage about the publication of Mr. Meadows' book occasioned some kind of change in his attitude about it, but regardless of his subjective attitude, he has a legal obligation to show up and to answer the questions of this committee.

Mr. Speaker, I reserve the balance of my time.

Mrs. FISCHBACH. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Mexico (Ms. HERRELL).

Ms. HERRELL. Mr. Speaker, today I rise in support of the Finish the Wall Act, for which I am a proud cosponsor.

By the end of this year, 2 million people will have tried to cross our borders illegally. That is more than or almost as many people as the State I represent. Hundreds of thousands have succeeded, and many thousands more are being released into our communities, never to return to an immigration status hearing.

When Border Patrol agents courageously tried to do their jobs against overwhelming odds, they were attacked by President Biden, who said that he would make them pay. That is not how we lead a country. That is not how we treat American heroes who keep us safe.

But past Presidents did not abandon our border. Under President Trump, 458 miles of border wall system were completed, with hundreds more fully funded. Of course, on his first day in office, President Biden sabotaged this important project and undermined the physical border security promised to the American people.

This is unacceptable. We must protect our country. We must protect our people. We must finish the wall.

This legislation would compel the White House and the Department of Homeland Security to do their jobs.

The funding is there. The plans are there. The materials are there. All we lack is leadership from the Oval Office. And until true leadership returns to the White House, the people's House will have to step in and solve the Biden border crisis.

I urge my colleagues to pass the Finish the Wall Act, keep our promises, and secure our borders.

Mr. RASKIN. Mr. Speaker, I yield myself such time as I may consume. I just want to emphasize that in his distinguished service in this Chamber, Mr. MEADOWS would never tolerate an executive official simply deciding to blow off a subpoena of the U.S. Congress. He said, “Whether you are a Republican or a Democrat, this kind of obstruction is wrong, period.”

He repeatedly complained about intransigence and delays by the executive branch. So I think he understands exactly why this is a matter of such gravity to our body.

Now, as I was saying, as a member, not just of the Rules Committee but also of the January 6th Select Committee, we have seen overwhelming participation and cooperation by the people we have called. Most people are doing their legal duty and their civic and patriotic duty by coming forward and voluntarily saying, here is what I know, and here is the information I have got to help you put together a report for the American people.

It just seems as we have gotten closer and closer to Donald Trump, that is where we are running into the obstructionism, as from Steve Bannon, as from Jeffrey Clark. And now we have got this problem we are in with Mark

Meadows, who had been on the path of cooperation, had turned over these thousands of documents, and now he is in the very awkward position of saying he is not going to testify about thousands of documents that he already turned over to us, which demonstrate how radically dangerous that day, in fact, was.

Let me just read a few more of the texts that Mr. Meadows disclosed to our committee: One text said, "We are under siege here at the Capitol." That came to him on January 6.

Another, "They have breached the Capitol."

"Mark, protesters are literally storming the Capitol. Breaking windows on doors. Rushing in. Is Trump going to say something?"

"We are all helpless."

Dozens of texts, including from Trump administration officials, urged immediate action by the President, "POTUS has to come out firmly and tell the protesters to dissipate. Someone is going to get killed."

And, of course, several people died on that day and within days of the attack on January 6.

In another, "Mark, he needs to stop this now."

A third in all caps, "TELL THEM TO GO HOME."

A fourth, and I quote, "POTUS needs to calm this"—expletive deleted, excrement—"down."

Multiple FOX News hosts themselves knew the President needed to act immediately. They texted Mr. Meadows. He turned over those texts to us. "Mark, President needs to tell people in the Capitol to go home. This is hurting all of us. He is destroying his legacy," wrote Laura Ingraham.

Brian Kilmeade texted, "Please get him on TV. Destroying everything you have accomplished."

Sean Hannity urged by text, "Can he make a statement? Ask people to leave the Capitol." And so on.

We need to find out what actions were taken in response to all of those entreaties from Members of Congress, from members of the media, from members of Trump's own family, what sequence of events took place afterwards.

Mr. Speaker, I reserve the balance of my time.

Mrs. FISCHBACH. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. GARBARINO.)

Mr. GARBARINO. Mr. Speaker, I rise today to urge the defeat of the previous question so we can immediately consider H.R. 2729, the Finish the Wall Act.

My colleague on the other side of the aisle said that there is no crisis at the southern border. I think the American people would disagree with her.

She says the administration has the solution. I wish they wouldn't keep it a secret.

The crisis at the southern border has reached a tipping point. Illegal border crossings at record highs, and yet this administration refuses to act.

I visited the southern border and saw for myself how bad things are. I also saw piles of building materials already paid for, sitting unused like rubble next to a partially built wall that desperately needs to be finished. The temporary fencing left in place is laughable. I could have walked right through the gaping holes and had myself a nice vacation.

Now, imagine you were on the other side of the fence, desperate to get to America where the President has assured you that you could stay, if only you made it to the other side. You would be pretty well motivated, and, thankfully, we have left the door open for them.

The wall is paid for; we just have to finish building it. This bill requires the Secretary of Homeland Security to resume construction of the border wall within 24 hours of enactment using funds Congress has already appropriated for building the wall.

The wall is more than just a fence. It includes sensors and technology the Border Patrol needs to effectively hold the line. The agents I spoke with at the border are doing everything they can to stop illegal crossings, but they are overwhelmed and under-equipped. Now drug smugglers, human traffickers, gangs, and terrorists are taking full advantage of this vulnerability.

While turning a blind eye to the dangers of our border crisis may serve this administration's agenda, it does not serve the American people, and it certainly doesn't serve my constituents. On Long Island, law enforcement continues to grapple with preventing MS-13 from getting a stronghold in our communities. But MS-13 gang members are emboldened by the policies of this administration and exploiting the crisis at our border to gain access to our country.

I urge this body to act and immediately consider H.R. 2729 to finish the border wall construction and help stop the influx of drugs, criminal activity, and gang violence that is brought by MS-13 into this country.

Mr. RASKIN. Mr. Speaker, I reserve the balance of my time.

Mrs. FISCHBACH. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. PFLUGER).

Mr. PFLUGER. Mr. Speaker, I rise today to defeat the previous question. I love this righteous discussion about law and order. It has been nearly 1 year of one-party rule for this country, and I speak for my constituents—I rise as a Texan—and countless others across the Nation who have whiplash from being tossed from one crisis to another crisis to yet another crisis caused by the policies, the misguided policies of this administration.

We are not changing the subject here. We are actually staying focused on the issues that matter to most Americans, the complete breakdown of respect for law enforcement and the rule of law. Since we are talking about the rule of law, the breakdown of the rule of law

has crime running rampant. We have heard about fentanyl; we have heard about the rising crime in communities like mine because of the open border that we have.

□ 1245

You know who doesn't show up for court orders? 99.9 percent of the illegal immigrants who are served those papers, they are the ones who don't show up, since we are talking about the rule of law.

We have Americans, as a matter of fact, that are still stranded behind enemy lines after President Biden's Afghanistan catastrophe. Communist China is enjoying their free pass after unleashing COVID-19 on the world and committing literal genocide on Uyghur Muslims in China. Millions of Americans are at risk of losing their jobs if they don't comply with the tyrannical mask mandate, a crippling national debt, an impending energy crisis, and an all-out humanitarian disaster on our border; those are the issues that we are not changing the subject on, we are actually focusing on.

But today, instead of addressing these crises, Democrats have recycled their old tricks and are wasting time trying to punish, yet again, President Trump.

You can only beat the same dead horse so many times.

Republicans are here to work, and it is long past time that action is taken to quell these crises. We are urging our Democratic colleagues to look at the crisis at hand. When is the last time that one of my colleagues on the other side of the aisle visited the border and can speak with any sort of authority that we don't have a crisis?

We need to stop illegal immigration. We need to finish the wall. We have got to secure this border.

Mr. RASKIN. Mr. Speaker, I reserve the balance of my time.

Mrs. FISCHBACH. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Mrs. CAMMACK)

Mrs. CAMMACK. Mr. Speaker, I rise today to urge my colleagues to help defeat the previous question and, for once and for all, address this lingering crisis that we know is, in fact, a crisis.

The travesties unfolding on our southwest border can no longer be ignored. And I know we know the facts. I know my colleagues on the other side of the aisle know the drugs that are pouring into our communities killing thousands as a direct result of the open border policy.

But few times have we seen or heard the stories of how people are actually being affected. Just a couple days ago, I received a text message from a Border Patrol agent. An American mother and her daughter were traveling and were killed in a head-on collision with an illegal smuggling six other illegals. They were evading, driving at a fast pace, and instead, killed a very young family. In his words, this Border Patrol agent said it was just a matter of time. This happens all the time.

That is unacceptable that it is just a matter of time. Well, it is just a matter of time before this body takes action, and it is probably going to be in about 12 months.

The broken policies of this administration have broken our families here in the United States. They are the true victims of President Biden and the Democrats in action. And it is stunning to hear and demoralize and to strip those that are trying to uphold the very law that they took an oath to protect. I wish my colleagues would do the same, because it is unacceptable to hear from our own that it is just a matter of time. It is just a matter of time before someone else gets killed or another family gets broken or someone else overdoses from the incredible amount of drugs that are pouring into our community.

But we have solutions, and we have resources. And that is why we need to continue to finish to build the wall, the force multiplier that our very own agents have said time and time again will save lives and prevent more tragedies.

That is why I urge my colleagues to help defeat the previous question so that we can do what we said we would do: Finish the wall.

Mr. RASKIN. Mr. Speaker, I yield myself such time as I may consume.

The gentlewoman invokes the oath of office. Former President Trump swore an oath to uphold and defend our Constitution, and we have all of these tweets which clearly indicate he wasn't doing that.

H. Res. 503 authorizes and obligates our committee to get to the particulars and details of what took place on January 6, what were the causes behind it, and what do we need to do to defend ourselves in the future against these kinds of attacks on our election process, on the peaceful transfer of power, and on the workings of Congress.

That is what we are doing.

And with their January 6 case collapsing all around them, my colleagues now head for the border in their rhetoric, and I don't blame them for doing that. But they are not going to fool the American people. People understand exactly what is happening here.

The prior speaker said that it is a crime not to show up for a subpoena, and he said you know who does that, undocumented aliens. Well, then it is undocumented aliens, Steve Bannon, and Mark Meadows who are violating the law.

Mr. Speaker, I reserve the balance of my time.

Mrs. FISCHBACH. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Mrs. MILLER).

Mrs. MILLER of Illinois. Mr. Speaker, the members of the January 6th Commission have turned this body into a star chamber, using the powers of Congress to persecute and bankrupt their political opponents.

Using political power to destroy your political opponents is evil and un-

American. We are not a banana republic.

Right now, the American people are suffering under the harsh economic realities of the Biden administration: Record-high inflation, record-high gas prices, record-high home heating bills, empty shelves at Christmas. COVID mandates and lockdowns continue to threaten our economy and our children's future.

What is the January 6th Commission's response to the suffering of the American people under Biden's policies? A never-ending political witch hunt against President Trump.

The January 6th Commission hates President Trump because he exposed the corruption of the D.C. establishment here in the swamp.

This January 6th Commission is a disgrace, and anyone who voted for it should be ashamed of themselves.

I urge a "no" vote on this rule.

Mr. RASKIN. Mr. Speaker, I reserve the balance of my time.

Mrs. FISCHBACH. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Mexico (Ms. HERRELL).

Ms. HERRELL. Mr. Speaker, I rise today to ask my fellow Members of Congress to think about the reputation of this institution, the trust of the American people, and beyond their political passions of the moment.

I ask, frankly, for us to be statesmen.

Rather than focusing on inflation, jobs, or the border, our colleagues across the aisle are focused on this distraction.

House Democrats have now held or threaten to hold three Americans in contempt of Congress for refusal to comply with their arbitrary demands.

Democrats assured us that if their first target, Steve Bannon, had just shown up to be deposed, he would not have faced consequences. However, Mr. Bannon felt that this would violate former President Trump's executive privilege and raised questions to the committee in letters from his attorney.

Next, the January 6th Committee threatened Jeffrey Clark with contempt, holding a Rules Committee hearing for the contempt charge. This was based on Mr. Clark agreeing to appear but not saying exactly what the partisan political operatives of the committee wanted him to say, while Mr. Clark asserted his constitutional rights.

It is a staggering abuse of power for the House of Representatives to threaten someone for merely using the rights the Constitution affords them.

Now we reach my friend, Mark Meadows. He has cooperated, and provided thousands of pages of documents; however, Mr. Meadows, President Trump's chief of staff during January 6, invoked his executive privilege. In his opinion, his testimony about interactions with President Trump would erode all future use of executive privilege. Even after Mr. Meadows turned over texts, Democrats have now gone so far as to subpoena Verizon for Mr. Meadows' phone records.

Such naked scheming should stay in House of Cards and other TV shows, not in this Chamber.

What is the purpose of this? Is it not to secure the Capitol? It is a political exercise to exact political revenge against allies and employees of the former President.

This is about using the government to punish political adversaries. This is not an American practice but something akin to a banana republic on its way to tyranny. I urge a "no" vote.

Mr. RASKIN. Mr. Speaker, I reserve the balance of my time.

Mrs. FISCHBACH. Mr. Speaker, I yield 4 minutes to the gentleman from North Carolina (Mr. BISHOP).

Mr. BISHOP of North Carolina. Mr. Speaker, I thank the gentlewoman for yielding.

I have no hesitancy to take on the distinguished gentleman from Maryland on the points that he has made. I would say first of all this: I hope that he will continue to read those text messages because they don't prove what he thinks they prove; quite the contrary.

I can't think of how many times the gentleman from California has spoken in derisive terms about Donald Trump, Jr., but Donald Trump Jr.'s tweets show that he was concerned about exactly the right things.

You don't see tweets coming from Republicans about bailing out violent rioters, abolishing police forces, or decrying the plight of Jussie Smollett.

I think the issue with the effort today before the body is how Democrats are dealing with the President's close counselor and the legal principles that arise therefrom, especially the constant and repeated threat of criminal prosecution in the face of an unresolved issue of privilege.

When you treat noncompliance as willful noncompliance, you mean there is a lack of good faith basis. But the record in this case in the House Report is replete with contentions over the nature and extent of the President's executive privilege.

The positions that are taken on Mr. Meadows' behalf are those that have been continually asserted by the Department of Justice; in fact, many others. Many other potential objections he has completely waived. He has not attempted to assert the fact that your subpoena is inquiring into legitimate First Amendment rights to associate, to speak, to petition for redress or in the absence of a legitimate legislative purpose.

And to the point repeated over and over by the gentleman from Maryland, the current position on privilege is entirely sensible. Mr. Meadows has produced those documents that are implicated by the current President's waiver of privilege, but he preserves that core part of privilege that President Trump is likely entitled to preserve; that is to say what he was told by one of his closest advisers.

Nothing illegitimate about it at all. What is illegitimate is the decision

made on how to deal with the counselor of a President, the representative of a coordinate branch of government.

The Democrats are setting a new bar. Even while the handwriting is on the wall, may you enjoy the fruits. Let the contempt resolutions and the criminal referrals flow freely and quickly as a river. Merrick Garland, Ron Klain, Hunter Biden, Chuck Dolan, Marc Elias, Andrew Weissmann, Alejandro Mayorkas. Let them come.

This is the choice that is being made by the Democrats.

Mr. RASKIN. Mr. Speaker, I reserve the balance of my time.

Mrs. FISCHBACH. Mr. Speaker, I yield 1 minute to the gentlewoman from Georgia (Mrs. GREENE).

Mrs. GREENE of Georgia. Mr. Speaker, we have heard a lot about text messages. I would like the Democrats and the people on the January 6th Committee to produce their text messages, Mr. Speaker, denouncing antifa, BLM riots that raged across American cities for a year. I would love to read those.

But instead, we saw Democrats encourage, incite, and continue to call these riots peaceful. And then when they got arrested and put in jail, they bailed them out so they could go out and riot some more.

I rise in opposition to this resolution to hold Mark Meadows in contempt of Congress because it is being held by nothing but a kangaroo court.

Congress' job is to make laws, not enforce them. That is the role of the executive and the judicial branch of this government, but somehow the communists here in charge have forgotten—or, no, not forgotten—are purposely abusing the Constitution and what this body of Congress is supposed to do.

You see, when we go to this level to the point where we are forgetting and abusing what our power is, then the American people will trust us no more. And that is exactly what the January 6th Committee is doing.

Mr. RASKIN. Mr. Speaker, I reserve the balance of my time.

□ 1300

Mrs. FISCHBACH. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this select committee is clearly operating outside the realm of its intended purpose.

They do not like the information they are receiving, and they know they aren't getting anywhere. So, instead, they criminally punish those who they politically disagree with.

There isn't adequate minority representation, and because of that, the majority has been able to turn the committee into a vehicle to push their own narrative. It is clearly more interested in pursuing a partisan agenda to politicize the January 6 attack rather than conducting a legitimate, good-faith investigation into security failures leading up to that day.

Again, this is nothing more than an attempt by the Democrats to distract

from the very real issues facing Americans every day. I look forward to getting back to the real work of solving the supply chain crisis, reclaiming American energy production, and empowering U.S. citizens to live their lives without government interference.

Mr. Speaker, I oppose the rule and the underlying legislation, and I urge my colleagues to do the same.

Mr. Speaker, I yield back the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, hundreds of people have come forward to testify about the violent and dangerous events of January 6, and there are just a handful of people, like Mr. Bannon and Mr. Meadows, who somehow think they are above the law.

We are not a banana republic because we hold everybody to equality under the law. And we are not communists, as the gentlewoman from Georgia suggested. Those are just the friends of the former President, who you lionize, like the dictator of North Korea, who he loves, and Vladimir Putin, who said that the greatest tragedy of the 20th century was the collapse of the Soviet Union. So, those are your friends. Don't put them on our side.

They are saying that the Select Committee on the January 6th Attack is out to persecute and bankrupt their opponents. On the contrary, we are out to write a report, under H. Res. 503, to the American people about the most violent, sweeping, and dangerous attack on the Republic since the Civil War or the War of 1812.

Mr. Bannon is raising money on it. Far from bankrupting Mr. Bannon, he is trying to get rich on it. And Mark Meadows has written a book where he tells all the stories he wants about January 6. It is just that he doesn't want to face the rule of law and the questions of this bipartisan committee, which is making tremendous progress in terms of getting the truth of what happened on that day.

Mr. Speaker, I recommend to all of my colleagues who invoked the rule of law today that they read the D.C. Circuit Court opinion, which obliterates every single argument that they have made about executive privilege. It is basically gone now because the way the law works is the people have a right to get the information we want unless there is a compelling interest on the other side. They haven't even pretended to invoke a compelling interest.

What is the compelling interest in being able to prepare an insurrection, a coup against the government? Is that what we want to establish a precedent for, that outgoing Presidents can try to organize an insurrection against the Vice President and encourage people who go out and stage a riot against the Vice President of the United States and the Congress? I don't think so.

Mr. Speaker, a couple of the speakers said it was absence of legislative purpose. This is the central purpose of our government, to make the government

survive and to go out and serve the people. That is what this committee is doing.

Mr. Speaker, he is in contempt. I urge a "yes" vote on the rule and the previous question.

The material previously referred to by Mrs. FISCHBACH is as follows:

#### AMENDMENT TO HOUSE RESOLUTION 848

At the end of the resolution, add the following:

SEC. 2. Immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the bill (H.R. 2729) to immediately resume construction of the border wall system along the international border between the United States and Mexico to secure the border, enforce the rule of law, and expend appropriated funds as mandated by Congress, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Homeland Security; and (2) one motion to recommit.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 2729.

Mr. RASKIN. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. RASKIN. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 854. An act to designate methamphetamine as an emerging threat, and for other purposes.

S. 2959. An act to provide that, due to the disruptions caused by COVID-19, applications for impact aid funding for fiscal year 2023 may use certain data submitted in the fiscal year 2022 application.

S. 3377. An act to empower the Chief of the United States Capitol Police to unilaterally request the assistance of the DC National Guard or Federal law enforcement agencies in emergencies without prior approval of the Capitol Police Board.

#### PROVIDING FOR CONSIDERATION OF H.R. 5665, COMBATING INTERNATIONAL ISLAMOPHOBIA ACT

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I

call up House Resolution 849 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 849

*Resolved*, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5665) to establish in the Department of State the Office to Monitor and Combat Islamophobia, and for other purposes. All points of order against consideration of the bill are waived. In lieu of the amendments recommended by the Committee on Foreign Affairs now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117-23, modified by the amendment printed in the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs or their respective designees; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Pennsylvania (Mr. RESCHENTHALER), my good friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, today, the Committee on Rules met and reported a rule which would provide for the consideration of H.R. 5665, the Combating International Islamophobia Act, under a closed rule.

It provides 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs. It self-executes a manager's amendment from Chairman MEEKS and provides for one motion to recommit.

Mr. Speaker, we are here today at a time when anti-Muslim hatred has risen to epidemic proportions. That is not my opinion; that is according to the U.N. Special Rapporteur on Religious Freedom and Belief.

Epidemic proportions, we see it all around the world: in China, as the government there commits atrocities against the Uyghurs; in Sri Lanka, where its President silences dissenting voices; in India, as government-led crackdowns leave entire neighborhoods virtually empty; in Hungary, where anti-Muslim sentiment continues to

build. Unfortunately, I could go on, all around the globe.

Mr. Speaker, this isn't about the actions or misguided beliefs of a few. The U.N. Human Rights Council has found that an average of 37 percent of the population in Europe held unfavorable views of Muslims. We are talking about millions of people and a rising tide of hostility, violence, and discrimination that we, the Government of the United States, must call out and condemn. To stand firmly and loudly for human rights demands nothing less.

Mr. Speaker, I am also proud to announce today that we have reached a bipartisan, bicameral agreement on the Uyghur Forced Labor Prevention Act that will allow us to move quickly to get this bill through Congress and to the President because this isn't a partisan issue. It is a human rights issue, and America must lead.

Mr. Speaker, just as we hold other nations to account, we must hold ourselves to account as well because the United States is not immune to these trends. The Council on American-Islamic Relations has documented over 500 complaints of anti-Muslim bias nationwide in just the first half of this year. That includes things like hate crimes, harassment, school bullying, and antisemitic violence.

Sadly, this uptick is part of a larger trend. A poll conducted by the AP and released this year ahead of the anniversary of 9/11 found that 53 percent of Americans have unfavorable views toward Islam. This is the reality of what is happening in America today.

Mr. Speaker, to be honest, we have even heard disturbing rhetoric from some right here in this institution. A Member of this House has told a completely fabricated story again and again that implies a Muslim colleague is a terrorist just because they are Muslim.

It may have rolled off her tongue like some kind of laugh line, but this is a deadly serious matter because it led to our colleague, Representative OMAR, who has already been the victim of years of anti-Muslim bias, receiving even more heinous voice mails and even death threats. One man went so far as to tell her: "There's plenty that will love the opportunity to take you off the face of this" blanketing Earth.

Mr. Speaker, I hesitated to even quote that here on the floor, but we all must understand the gravity of what we are dealing with. To hear a Member of this Congress say those things, is there no bottom anymore? Have things sunk that low?

Two decades ago, it was a Republican President, George W. Bush, who told the world: "America treasures the relationship we have with our many Muslim friends, and we respect the vibrant faith of Islam, which inspires countless individuals to lead lives of honesty, integrity, and morality."

Today, it is a Republican Congressperson who made headlines for comments that disrespect not only

Congresswoman OMAR and fellow Muslim Members but is a stain on this entire institution. And virtually the entire Republican Conference has said nothing.

Mr. Speaker, what on Earth has the Republican Party become?

I think this House is better than the worst actions of a few here, and I think the Government of the United States can still stand for human rights here and around the globe. This rule and the underlying resolution is our chance to show it.

Let's pass this measure so we can bring the full weight of our Nation in encouraging other nations to also confront and condemn the growing stain of Islamophobia.

Mr. Speaker, I reserve the balance of my time.

Mr. RESCHENTHALER. Mr. Speaker, I yield myself such time as I may consume, and I thank my good friend and chairman of the Committee on Rules, Chairman MCGOVERN, for yielding me the customary 30 minutes.

Mr. Speaker, in 2018, southwestern Pennsylvania witnessed the deadliest act of anti-Semitism in our Nation's history when 11 Jewish worshippers were killed at the Tree of Life Synagogue in Squirrel Hill. That was the first time I ever spoke on the House floor; it was to condemn acts of anti-Semitism and hatred in all forms.

No one should ever be attacked and no one should ever be denied their human rights or dignity because of their religious faith. Republicans have opposed hate and discrimination of any kind, including Islamophobia, but the bill made in order under this rule is rushed. It is a partisan effort, and it fails to address real concerns highlighted by both committee Republicans and the Biden State Department.

H.R. 5665 creates a new State Department office and a new special envoy position to combat "Islamophobia and Islamophobic incitement." Those terms are not defined in Federal statute. They are also not defined in the bill. Without clear definitions, even First Amendment-protected speech could qualify for an investigation.

Under this measure, it would be up to unelected career bureaucrats at the State Department to determine what constitutes this phobia and to single out groups, to single out governments, to single out individuals who do not share the political views of those unelected, career bureaucrats.

My Republican colleagues on the House Committee on Foreign Affairs rightly noted the lack of definitions in this bill, and that lack could be used to promote anti-Israel sentiment. Unfortunately, efforts to address those concerns were wholly dismissed by committee Democrats. Further, committee Republicans highlighted that this bill is absolutely redundant.

Mr. Speaker, the State Department already operates robust human rights and religious freedom efforts, and those include, and I will list: the Bureau of



Democracy, Human Rights, and Labor; the Office of International Religious Freedom; and the U.S. Commission on International Religious Freedom. We already have offices for what this bill seeks to do.

□ 1315

Creating a new envoy and office would simply duplicate those efforts; it would further fragment this important advocacy; it would increase the potential for conflict and delays; and it would thwart our efforts to actually help persecuted people.

Their concerns fell on deaf ears.

If House Democrats are serious about addressing anti-Muslim sentiment, then I encourage them to join the long-standing Republican efforts to hold the Chinese Communist Party accountable for their genocide against the Uyghur people.

Somewhere between 1 and 3 million Uyghurs are currently held against their will in modern-day concentration camps in Communist China. These people are subjected to atrocities that include forced labor, torture, and enforced organ harvesting.

Families are torn apart. The CCP even prohibits parents from teaching their Islamic faith to their children. Women are suffering forced sterilization and forced abortion to suppress Uyghur Muslim birth rates.

Anyone who truly supports religious freedom and stands against anti-Muslim atrocities should want to hold the CCP accountable for their genocide against the Uyghur people.

Yet, earlier this year Democratic leadership caved to the Biden administration and delayed a strong U.S. response to the Uyghur Muslim genocide, rather than sending the bipartisan, Senate-passed Uyghur Forced Labor Prevention Act to the President's desk. It was the Biden administration who slow-walked that.

Last week, we were finally given the opportunity to vote on that bill, only after the press highlighted Speaker PELOSI's inaction. Further, during the committee's consideration of H.R. 5665, Democrats voted down an amendment to focus the new office's efforts on the plight of the Uyghurs.

In closing, it is obvious this bill is not combating anti-Muslim violence and persecution. If it were, House Democrats would have worked with Republicans and the Biden State Department on this effort. Instead, the Democrats are advancing this rushed, partisan legislation that fails to address the religious persecution happening right now in China and across the globe.

Mr. Speaker, I urge my colleagues to oppose this rule, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have great respect for my friend from Pennsylvania, but I want to provide a little bit of a history lesson on the Uyghur Forced Labor Prevention Act.

We actually passed that bill a year ago in the last Congress, and the Republican Senate and President Trump killed it. I didn't hear a peep out of any of my Republican colleagues urging that the Senate take the bill up then.

Last week, the House passed by an overwhelming vote—only one Republican voted “no”—my bill on the Uyghur Forced Labor Prevention Act.

By the way, it is a stronger bill than the one that was passed in the Senate. Senator RUBIO and I have come to an agreement on reconciling the differences. That bill will be voted on, perhaps even as early as today, and be sent over to the Senate, where I think they will take quick action on it and send it to the President's desk for signature.

That is real. That is the strongest bill to deal with the horrific treatment by the Chinese Government of the Uyghurs that has ever gone to any President's desk. I am proud of the bipartisan support for the bill in the House and the Senate. Let's not politicize an issue that I think we have come together on. My hope is it will be done today.

The bill that is before us is very similar to the bill that was passed in a previous Congress to create a post to deal with anti-Semitism in this country.

Mr. Speaker, I would urge my Republican friends, who I hope share our view, that anti-Semitism is intolerable wherever it may exist, and we need to do more to combat it. Please call your friends in the Republican Senate to stop holding up President Biden's nominee for special envoy.

Mr. Speaker, I include in the RECORD a CNN story, “Senate Democrats Say Republicans Are Holding Up Nomination For Anti-Semitism Post.”

[From CNN, Dec. 8, 2021]

SENATE DEMOCRATS SAY REPUBLICANS ARE HOLDING UP NOMINATION FOR ANTI-SEMITISM POST

(By Jessica Dean)

(CNN) Democrats in Congress told CNN that GOP senators are continuing to hold up the nomination of the woman President Joe Biden tapped to become the next US Envoy to Combat and Monitor Antisemitism, five months after she was nominated.

Biden nominated Deborah Lipstadt, an Emory professor of Modern Jewish History and Holocaust Studies, on July 30. Lipstadt has thus far not even been offered a hearing by the Senate Foreign Relations Committee. Lipstadt has previously worked with both Democratic and Republican administrations and enjoys strong support from a wide range of Jewish groups.

“Our Republican colleagues have refused to give her a hearing before the Senate Foreign Relations committee,” Committee Chairman Bob Menendez, a Democrat from New Jersey, told CNN. Typically both Democratic and Republican members of the committee agree to have a hearing for a nominee.

Menendez said they're approaching a time when he may go against tradition to bypass the committee and move to discharge Lipstadt's nomination straight to the Senate floor where Democrats hold the majority.

Republicans denied that they were stalling the confirmation process.

“I wouldn't say we're holding it up,” said Republican Sen. Jim Risch, the ranking member of the Senate Foreign Relations Committee, adding they are waiting on additional materials from Lipstadt. An aide said they had spoken with Lipstadt on Tuesday.

When asked if he thinks they will ultimately give Lipstadt a hearing, Risch replied, “I think so” but offered no timeline.

What's the hold up?

Risch said there has been some concern from members over Lipstadt's previous tweets.

In one tweet from March 14, Lipstadt reacted to comments from Republican Sen. Ron Johnson of Wisconsin, who sits on the Senate Foreign Relations Committee, writing, “This is white supremacy/nationalism. Pure and simple.”

Lipstadt was referring to Johnson's comments that he might have been concerned for his well-being during the January 6 attack had the protestors been affiliated with Black Lives Matter instead of being a largely white, pro-Trump crowd.

When asked about Lipstadt's nomination and the tweet, Johnson said, “I feel like we have so many nominations floating around right now, I really can't comment at this point.”

Republican Sen. Marco Rubio of Florida, who is also a member of the committee, said he was not familiar with Lipstadt's nomination.

“I am not sure I have reviewed that nomination yet. To be frank, it doesn't ring a bell,” Rubio told CNN.

“I want to make sure that whoever is there is someone we can count on to be heard around the world and whatever they have said in the past won't undermine their ability to do their job,” Rubio said. “But I just don't want to comment on a nomination that I haven't fully reviewed yet.”

Menendez said there was nothing in her background that should be a problem.

“If calling out anti-Semitism in the past is somehow an obstacle to this nomination, and that would be an amazing set of circumstances, because that's what we want this person to do,” he said.

Strong support from the Jewish community

In a rare joint statement, the Anti-Defamation League, the Jewish Federations of North America, and the Union of Orthodox Jewish Congregations of America sent a letter to Senate Foreign Relations Committee on November 4 urging its members to act.

“There is no question that Prof. Lipstadt has the credentials to deserve a proper hearing before the Committee on Foreign Relations—and that hearing is now overdue,” the letter read.

The unified support of Jewish groups is important to note.

“To find this level of agreement about someone on such a contentious issue as anti-Semitism is rare,” Yair Rosenberg, a writer who covers anti-Semitism for The Atlantic, told CNN in an interview.

“And it's very rare to see that and it's rare to see people then say, ‘Well, we don't care what all these Jewish groups think,’” Rosenberg said.

In an attempt to move the nomination along, a number of House Democrats who sit on the House Bipartisan Task Force for Combating Anti-Semitism—led by Reps. Kathy Manning of North Carolina and Ted Deutch of Florida—wrote a letter to Menendez and Risch pressing them for a hearing for Lipstadt.

“In recent months, we have witnessed growing threats against Jewish communities in our own country and worldwide,” the group wrote. “We believe it is vital to have a Special Envoy in place to confront these



threats and ensure that the United States continues to lead the world in the fight against antisemitism.”

Rosenberg told CNN the stalled nomination is “a much broader effort to stall Biden’s nominees and prevent their confirmations.”

“It’s typical partisan warfare, but this time, it’s not a victimless crime, right? There’s the nominees themselves, and then in this case, there’s Jewish communities abroad that are protected by the anti-Semitism envoy position. And right now that office is short-stringed because the Republicans will not move forward on this confirmation.”

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. CHU).

Ms. CHU. Mr. Speaker, I rise today in strong support of today’s bill to help monitor and combat Islamophobia.

Targeting someone because of their religion is discriminatory and it is dangerous. Yet, across the world anti-Muslim prejudice is spreading. As a result, innocent people are being attacked, their mosques vandalized, and their rights curtailed. All of this is the deliberate result of anti-Muslim fearmongering, often from the highest levels of government.

The violence and repression would not be possible without the propaganda that paints all Muslims as dangerous. We have seen that even in our own country, where a lie that Muslims are dangerous was used to justify a Muslim ban. This hate speech continues to echo in the halls of Congress today, even against our own Members of Congress. This must stop.

The more these hateful lies spread, the more people will follow the words of their leaders and take action, leading to more violence like the shootings in Christchurch and around the world.

With this bill we can help stop the spread of this Islamophobia and stop the violence these words cause. Let’s ensure that everybody, regardless of race or religion, can feel safe in this country and around the world for being who they are.

Mr. RESCHENTHALER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am glad it was brought up, the so-called Trump Muslim ban, because it gives me a chance to set the record straight.

Let’s be clear, the seven countries that my colleague was referring to—the seven countries specifically targeted with travel restrictions in Executive Order 13769, they were actually countries that were determined by Congress in the Obama administration to be countries of particular concern for terrorism activity pursuant to the Visa Waiver Improvement and Terrorist Travel Prevention Act of 2015.

In fact, the policies in the administration’s travel restrictions apply to just 8 percent of the world’s Muslim population, and according to Pew Research Center, only cover one of the top 10 countries in the world with the largest Muslim population, that country being Iran.

The courts even found that Trump’s travel ban was “facially neutral toward religion.” The court also ruled that Trump “set forth a sufficient national security justification.” So I thank my colleague for giving me the chance to put in the RECORD the truth about the so-called Trump ban.

Mr. Speaker, let’s talk about something that the American people are focused on right now. Thanks to the Biden energy crisis, Americans are paying 56 percent more for a gallon of gas.

In Pennsylvania, families are facing a 50 percent increase in their energy bills. Biden’s war on fossil fuels continues to devastate the Nation this holiday season.

That is why, Mr. Speaker, if we defeat the previous question, I will personally offer an amendment to the rule to immediately consider H.R. 6235, the Strategic Production Response Act.

This legislation would require the Secretary of Energy to develop a plan to increase oil and gas production on Federal lands if the President uses the Strategic Petroleum Reserve for non-emergency reasons.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment into the RECORD, along with any extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RESCHENTHALER. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. UPTON), one of the authors of the legislation, to explain the amendment.

Mr. UPTON. Mr. Speaker, I do rise in opposition to both the rule and the previous question so the House can consider H.R. 6235, the Strategic Production Response Act, introduced by the top Republican on the Energy and Commerce Committee, Mrs. CATHY MCMORRIS RODGERS of Washington, in the recent weeks.

This President and the Democrats are waging a war on fossil fuels and affordable American energy, and American families are paying the price in the form of skyrocketing energy bills and inflation that is surging, frankly, out of control. We see that constant increase at the pump literally every time we get in the car and pass a gas station in virtually every State in the Union.

Before this President came into office, the U.S. was more energy secure than ever before. Energy prices were low, stable, and manufacturing was coming back to the U.S. after decades of offshoring.

Today, America’s energy security is under siege by President Biden and the Democrats. In fact, in the span of a year the price of crude oil and many energy commodities has risen to a 7-year high. Gasoline prices have nearly doubled, while more Americans are struggling certainly to make ends meet.

Forecasts—even before this winter’s heating costs season started, American families were expected to pay some 54 percent more for propane, 43 percent more for heating oil, 30 percent more for natural gas, and 6 percent more for electric heating.

Even as millions of Americans depend on reliable and affordable supplies of fossil-based fuels for home heating, electricity, transportation, manufacturing, and agriculture, Democrats have doubled down their anti-American energy agenda.

It was a mistake when President Biden canceled the Keystone XL pipeline, which would have transported almost 1 million barrels a day of stable energy supplies to the U.S.

President Biden issued a moratorium on energy development on Federal lands. Now the administration is even considering killing Line 5, another important pipeline that provides critical heating fuels and gas to the Midwest.

Yes, faced with skyrocketing energy prices and low poll numbers, this President has begged OPEC—of all places—OPEC and Russia—to pump more oil. When OPEC and Russia refused to increase supplies, guess what, President Biden then turned to China and resorted to tapping America’s Strategic Petroleum Reserve, rather than encourage drilling here domestically.

This President turned to China for oil. China is persecuting more than a million Uyghurs, Muslims, and other ethnic minorities. They certainly don’t share our values. America’s Strategic Petroleum Reserve is one of the Nation’s most valuable energy security tools, and this President and the Democrats are squandering it, using it for a political coverup for their anti-fossil fuel agenda.

If allowed, this motion is pretty simple. It would protect the Strategic Petroleum Reserve and lower gas prices by unleashing American energy production.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RESCHENTHALER. Mr. Speaker, I yield the gentleman from Michigan an additional 30 seconds.

Mr. UPTON. The Strategic Petroleum Reserve was created by Congress to respond to several oil supply disruptions, not as a bailout. This administration has to end its hostility to producing energy right here under our feet and reverse the policies that have contributed to the energy crisis facing Americans today.

If this administration is serious about lowering gas prices it has to stop encouraging other countries, and rather encourage ours to produce gas and oil rather than relying on OPEC, Russia, and China.

Mr. Speaker, I would ask my colleagues to vote “no” on the previous question so we can consider this resolution.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, when the heinous acts of 9/11 came, this Nation could have easily fell upon the splinters of divisiveness and begin to point fingers in a massive way toward our fellow human beings, Muslims around the world and in the United States.

Isn't it interesting that the President of the United States, a Republican, George W. Bush, took to the microphone to denounce that kind of divisive action—a Republican.

We came together, even though there were incidences that many confronted, to hold this Nation together. Even with the small percentage of Muslims in the United States, we recognize the 1.8 billion Muslims in the world, which makes up nearly one-fourth of the world's population. It is the world's second largest religion.

I am proud to be able to serve or have served with former Member Keith Ellison, the first to be elected; Congressman ANDRÉ CARSON, RASHIDA TLAIB, and ILHAN OMAR. I am proud to chair the Pakistan Caucus, the Afghan Caucus, and to work with Muslims around the world; and I have visited the Middle East often, and engaged with Muslims who desired peace.

Mr. Speaker, I rise today to support the rule and the underlying bill, to create the position of special envoy for monitoring and combatting Islamophobia that would be responsible for tracking and coordinating efforts to combat Islamophobia abroad. It would require the State Department to encourage reports on human rights practices and an annual report on international religious freedom, and include, where possible, the assessments on the nature and extent of Islamophobia and Islamophobic incitement that occur abroad.

□ 1330

My colleagues on this floor might take heed to the importance of recognizing the humanity of all people. The hijab is a thing of beauty. Muslim women can choose to wear it, they wear it in front of men who are not their family members. Our Member, ILHAN OMAR, wears that. It is not a sign of terrorism, and that kind of language should be denounced whether it is on the floor of this House or in some kind of private interaction.

We do not want the world to look at the United States as not caring about the rights of Muslims. America stands against the committing of acts of atrocities against the Uyghurs in China, or the Rohingya in Burma, or the brutal crackdowns on Muslim populations in other countries including Southeast Asia, scapegoating of Muslim refugees and other Muslims in Hungary and Poland, the acts of white supremacist violence against Muslims in New Zealand and Canada, or the targeting of minority Muslim communities in Muslim majority countries like those in Southeast Asia and Iran. I know that we are working hard to ensure that does not happen.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. Mr. Speaker, I yield the gentlewoman from Texas an additional 1 minute.

Ms. JACKSON LEE. This legislation is crucial and important. The reason is because it speaks to who we are as Members of the most powerful law-making body in the world.

Mr. Speaker, I am glad to sit on the Tom Lantos Human Rights Commission with Chairman MCGOVERN and that we can talk about human rights for all people. And we need to get over it and recognize that it is important to unify the world. Let the United States be the leader for what is right and to be able to acknowledge the doctors, lawyers, and other leaders in our Nation who happen to be Muslim.

So this legislation gives the United States the right hand, the upper hand to be able to assess this around the world and be the leader against anti-hate or anti-Muslim hate. Let's be the leader rather than the provoker of it.

I end by saying this plea to my colleagues: Whether you are Republican or Democrat, is this, in essence, the reputation you want to give to this Congress, that we are attacking people for their religion and who they are?

Let this bill pass but let it be a symbol that we will stop this kind of Islamophobia, and it starts with each and every one of us.

Mr. Speaker, I ask my colleagues to vote for the rule and the underlying bill.

Mr. Speaker, I rise in support of the Rule Governing Debate of H.R. 5665, the Combating International Islamophobia Act, which will address the increasing number of incidents of Islamophobia around the world.

Specifically, this bill will:

Create the position of Special Envoy for Monitoring and Combating Islamophobia, who will be responsible for tracking and coordinating efforts to combat Islamophobia abroad.

Require that the State Department's annual country reports on human rights practices and annual Report on International Religious Freedom include, wherever possible, assessments of the nature and extent of acts of Islamophobia and Islamophobic incitement that occur abroad.

As Islamophobia rises globally, it is vital that the State Department have senior personnel in place charged with understanding, reporting on, and combating this scourge worldwide.

In recent decades, we have seen a staggering rise in incidents of violent Islamophobia worldwide.

Whether it is the atrocities being committed against the Uyghurs in China and the Rohingya in Burma, the brutal crackdowns on Muslim populations around the world. The scapegoating of Muslim refugees and other Muslims in Hungary and Poland, the acts of white supremacist violence targeting Muslims in New Zealand and Canada, or the targeting of minority Muslim communities in Muslim-majority countries. It is time for us as policymakers to understand these problems as interconnected and genuinely global.

There are about 1.8 billion Muslims in the world, which makes up nearly one-fourth of

the world's population. Islam is the world's second largest religion. Painfully, a staggering number of people have experienced anti-Muslim hate in their lifetime; a number that has only inflated since 9/11.

America is home to one of the most diverse Muslim populations in the world, including people of almost every ethnicity, country and school of thought.

Approximately one third of the community is African American, one third is of South Asian descent, one quarter is of Arab descent, and the rest are from all over the world, including a growing Latino Muslim population.

While exact numbers are difficult to establish, there are between 3–6 million American Muslims. About one half of this population was born in the U.S., a percentage that continues to grow as immigration slows and younger individuals start having families.

American Muslims are present in all walks of life, as doctors and taxi drivers; lawyers and newspaper vendors; accountants, home-makers, academics, media personalities, athletes, and entertainers.

Although American Muslims make up approximately one percent of the U.S. population, most Americans can name several famous American Muslims. Names like Muhammad Ali, Malcolm X, Mos Def, Fareed Zakaria, Shaquille O'Neal, Lupe Fiasco, Dr. Oz and Rima Fakhri are part of our popular consciousness.

Important business figures like Farooq Kathwari (CEO of Ethan Allen), Malik M. Hasan (a pioneer in the field of HMOs), and Safi Qureshey (a leader in PC component manufacturing) are all American Muslims.

Many American Muslims are also civically engaged, working with their neighbors to better their communities. Well-known American Muslim leaders include Rep. Keith Ellison (DFL-Minn.), the first American Muslim to be elected to the U.S. Congress; Rep. ANDRÉ CARSON (D-Ind.); Mohammed Hameeduddin (Mayor, Teaneck, N.J.); and Amer Ahmad (Comptroller, Chicago).

Nevertheless, levels of Islamophobia are so high that the United Nations Human Rights Council has declared it an issue of "epidemic proportions."

Atrocities have been occurring across the globe, from hate-messages spray-painted on buildings in America to the violent genocide of the Uyghurs in China.

The United States State Department estimated that up to 2 million members of Muslim minorities have experienced a system of detention centers in Xinjiang, known political indoctrination, forced labor, torture, and sexual abuse.

The US, UK, and Canada have accused China of committing genocide and crimes against humanity against Muslim populations at Xinjiang.

In 2018, UN investigators accused the Myanmar's military of carrying out mass killings of Muslim populations with "genocidal intent."

There are reports of attacks on mosques in Southeast Asia and Iran, a history of anti-Muslim sentiments and attacks in Sri Lanka, police targeting against Shia Muslims in Southeast Asia again, massacres of Muslim people in New Zealand, and Islamophobic hate-speech in Canada. We have to demand justice for Muslims and better treatment for all religions.

This global injustice must be addressed and rectified and the United States must step up to spearhead the movement.

We need to establish a comprehensive plan for combating Islamophobia not only to ensure the religious freedom and human rights of Muslims, but to protect against a threat to international religious freedom and democratic principles.

The Combating International Islamophobia Act will require the State department to create a Special Envoy for monitoring and combating Islamophobia answering the call of the American Muslim community for the past two decades.

The envoy will work with domestic and international nongovernmental organizations and institutions to carry out its directives.

The special envoy will give reports on acts of physical violence or harassment against Muslim people as well as acts of vandalism of Muslim community institutions like schools, mosques, and cemeteries.

Regarding anti-Muslim government actions, the envoy will monitor instances of propaganda in media that attempt to justify or promote racial hatred or incite acts of violence against Muslim people.

With the new wealth of information this envoy will bring, policymakers will have a better understanding of the interconnected, global problem of anti-Muslim bigotry.

As part of our commitment to international religious freedom and human rights, we must recognize Islamophobia as a pattern that is repeating in nearly every corner of the globe.

It is past time for the United States to stand firmly in favor of religious freedom for all, and to give the global problem of Islamophobia the attention and prioritization it deserves.

I urge all members to join me in voting for the rule and the underlying legislation, H.R. 5665, the "Combating International Islamophobia Act."

Mr. RESCHENTHALER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my good friend and colleague from Texas mentioned George W. Bush in her remarks. That is certainly a blast from the past. I was actually too young to even vote for President Bush when he was running in the primary. So I say that respectfully for my good friend from Texas.

But when we are talking about blasts from the past, the American people have not paid this much at the pump since the last time Biden was in the White House. It is true. The national average of gasoline is currently \$3.32. Americans are paying 54 percent more nationally for a gallon of gas. In some parts of the United States the price for a gallon of gas has reached \$7.59 a gallon.

So with Biden in the White House we are repeating ourselves once again—a blast from the past—and the American people are, unfortunately, paying every day at the gas pump.

Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. MULLIN), my good friend, who is going to talk about that.

Mr. MULLIN. Mr. Speaker, what we are seeing here from the Democrats is just a distraction. They are just trying to distract the American people from what is really happening.

What is it the American people are upset about?

What is it that they are concerned about?

How about what they are paying. We can talk about the groceries, and we can talk about what they are paying at the gas pump, so let's talk about that real quick.

If we are really serious about doing something that is important to the American people, then let's start with H.R. 6235 to address the high energy prices our country is seeing right now. Gas prices are at a 7-year high. On November 23, the Biden administration announced the Department of Justice will sell 50 million barrels out of the Strategic Petroleum Reserve in an attempt to bring down gas prices.

What a joke. We consume roughly 20 billion barrels a day in the United States, and to say we are going to release 50 billion out of the Strategic Petroleum Reserve to bring down gas prices?

That is nothing but another game, like this bill that we are talking about today debating. It is nothing but smoke and mirrors just trying to distract the American people to say: Hey, look, we are fighting; we are trying to do something.

H.R. 6235 would require the Secretary of Energy to develop a plan to increase oil and gas production on Federal lands in conjunction with drawing down the oil from the Strategic Petroleum Reserve.

If any President attempts to tap into the SPR for political reasons, the Strategic Production Response Act would require a plan to increase U.S. energy production at the same time. The SPR was established by Congress to respond to an emergency, not to manipulate gasoline prices.

The administration's anti-fossil fuel agenda is contributing to the record-high energy prices which is driving up inflation and household bills. It is projected to cost some families up to 54 percent more to heat their homes this winter. If President Biden and the Democrats want to be serious about bringing down costs to the families, they would stop the attack on American petroleum.

Mr. Speaker, I urge my colleagues to defeat the previous question and take up this bill.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we are considering the Combating International Islamophobia Act right now, and my good friend from Pennsylvania in the very beginning made reference to the fact that Republicans are all united in condemning hate, prejudice, and bigotry wherever it exists. But I just want to point out why this bill is so important. It is because the last Republican President who we had, unfortunately, it was like gasoline on a fire in terms of promoting Islamophobia.

In 2015, Donald Trump said that he would look at closing mosques in the United States. That same year he was open to the idea of creating a database

of all U.S. Muslims. As President, he instituted a Muslim ban. So that is the Republican Party's recent history in terms of combating Islamophobia. Instead of combating it, he, again, threw gasoline on the fire and fanned the flames.

So the reason why this is important is so that we can show the world that that is not who we are and that we reject bigotry, hatred, discrimination, and prejudice wherever it exists. The statistics are clear: we see a rising tide of Islamophobia all throughout the world.

This should not be controversial. This, quite frankly, should be a suspension. That it has been politicized by some of my friends on the other side of the aisle is unfortunate, but I hope that some of them will at the end join with us in voting to pass it.

I reserve the balance of my time, Mr. Speaker.

Mr. RESCHENTHALER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BURGESS), who is my good friend and fellow Rules Committee member.

Mr. BURGESS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, if we defeat the previous question, we will immediately consider the Strategic Production Response Act which will require the Secretary of Energy to develop a plan to increase energy production on Federal lands if oil in the Strategic Petroleum Reserve is used without a severe energy supply interruption. In November, the Biden administration announced the release of 50 million barrels of oil from the Strategic Petroleum Reserve to manipulate the market and address high energy prices that were created by his policies.

On his first day in office, President Biden weakened America's energy independence by rejoining the Paris climate agreement, blocking new energy development on Federal lands, and killing the Keystone pipeline. These are just a few examples of how this President's policies have slowed our Nation's economic recovery and will prevent us from reclaiming true energy independence.

Releasing oil from the Strategic Petroleum Reserve without an emergency declaration is unprecedented. No severe supply disruption exists, only a President who seeks to enact radical Green New Deal policies. Low Presidential approval ratings are not the emergency that Congress envisioned when the Strategic Petroleum Reserve was established in 1975.

The path to affordable energy is simple: increase supply to meet demand. Congress must reverse the policies that limit production of energy here at home. Clean energy is a priority for all Americans, but hurting domestic producers will only increase our Nation's dependence on dirty energy products from Russia, China, and the Middle East which are inherently less clean than American energy.

In conclusion, the Strategic Production Response Act ensures that a plan is in place to increase energy production before any President may use the Strategic Petroleum Reserve for purely political purposes.

Mr. Speaker, I urge my colleagues to vote “no” on the previous question so we can consider this amendment.

Mr. McGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I include in the RECORD a September 7 Associated Press article titled “Two Decades After 9/11, Muslim Americans Still Fighting Bias.”

[From AP, Sept. 7, 2021]

# TWO DECADES AFTER 9/11, MUSLIM AMERICANS STILL FIGHTING BIAS

NEW YORK (AP)—A car passed, the driver's window rolled down and the man spat an epithet at two little girls wearing their hijabs: “Terrorist!”

It was 2001, mere weeks after the twin towers at the World Trade Center fell, and 10-year-old Shahana Hanif and her younger sister were walking to the local mosque from their Brooklyn home.

Unsure, afraid, the girls ran.

As the 20th anniversary of the Sept. 11 terror attacks approaches, Hanif can still recall the shock of the moment, her confusion over how anyone could look at her, a child, and see a threat.

“It’s not a nice, kind word. It means violence, it means dangerous. It is meant to shock whoever . . . is on the receiving end of it,” she says.

But the incident also spurred a determination to speak out for herself and others that has helped get her to where she is today: a community organizer strongly favored to win a seat on the New York City Council in the upcoming municipal election.

Like Hanif, other young American Muslims have grown up under the shadow of 9/11. Many have faced hostility and surveillance, mistrust and suspicion, questions about their Muslim faith and doubts over their Americanness.

They’ve also found ways forward, ways to fight back against bias, to organize, to craft nuanced personal narratives about their identities. In the process, they’ve built bridges, challenged stereotypes and carved out new spaces for themselves.

There is “this sense of being Muslim as a kind of important identity marker, regardless of your relationship with Islam as a faith,” says Eman Abdelhadi, a sociologist at The University of Chicago who studies Muslim communities. “That’s been one of the main effects in people’s lives . . . it has shaped the ways the community has developed.”

A poll by The Associated Press-NORC Center for Public Affairs Research conducted ahead of the 9/11 anniversary found that 53% of Americans have unfavorable views toward Islam, compared with 42% who have favorable ones. This stands in contrast to Americans’ opinions about Christianity and Judaism, for which most respondents expressed favorable views.

Mistrust and suspicion of Muslims didn’t start with 9/11, but the attacks dramatically intensified those animosities.

Accustomed to being ignored or targeted by low-level harassment, the country’s wide-ranging and diverse Muslim communities were foisted into the spotlight, says Youssef Chouhoud, a political scientist at Christopher Newport University in Virginia.

“Your sense of who you were was becoming more formed, not just Muslim but American Muslim,” he says. “What distinguished you

as an American Muslim? Could you be fully both, or did you have to choose? There was a lot of grappling with what that meant.”

In Hanif’s case, there was no blueprint to navigate the complexities of that time.

“Fifth-grader me wasn’t naive or too young to know Muslims are in danger,” she later wrote in an essay about the aftermath of 9/11. “. . . Flashing an American flag from our first-floor windows didn’t make me more American. Born in Brooklyn didn’t make me more American.”

A young Hanif gathered neighborhood friends, and an older cousin helped them write a letter to then-President George W. Bush asking for protection.

“We knew,” she says, “that we would become like warriors of this community.”

But being warriors often carries a price, with wounds that linger.

Ishaq Pathan, 26, recalls the time a boy told him he seemed angry and wondered if he was going to blow up their Connecticut school.

He remembers the helplessness he felt when he was taken aside at an airport for additional questioning upon returning to the United States after a college semester in Morocco.

The agent looked through his belongings, including the laptop where he kept a private journal, and started reading it.

“I remember being like, ‘Hey, do you have to read that?’” Pathan says. The agent “just looks at me like, ‘You know, I can read anything on your computer. I’m entitled to anything here.’ And at that point, I remember having tears in my eyes. I was completely and utterly powerless.”

Pathan couldn’t accept it.

“You go to school with other people of different backgrounds and you realize . . . what the promise of the United States is,” he says. “And when you see it not living up to that promise, then I think it instills in us a sense of wanting to help and fix that.”

He now works as the San Francisco Bay Area director for the nonprofit Islamic Networks Group, where he hopes to help a younger generation grow confident in their Muslim identity.

Pathan recently chatted with a group of boys about their summer activities. At times, the boys ate watermelon or played on a trampoline. At other moments, the talk turned serious: What would they do if a student pretended to blow himself up while yelling “Allahu akbar,” or “God is great?” What can they do about stereotypical depictions of Muslims on TV?

“I had always viewed 9/11 as probably one of the most pivotal moments of my life and of the lives of Americans across the board,” Pathan says. “The aftermath of it . . . is what pushed me to do what I do today.”

That aftermath has also helped motivate Shukri Olow to do what she is doing—run for office.

Born in Somalia, Olow fled civil war with her family and lived in refugee camps in Kenya for years before coming to the United States when she was 10.

She found home in a vibrant public housing complex in the city of Kent, south of Seattle. There, residents from different countries communicated across language and cultural barriers, borrowing salt from each other or watching one another’s kids. Olow felt she flourished in that environment.

Then 9/11 happened. She recalls feeling confused when a teacher asked her, “What are your people doing?” But she also remembers others who “said that this isn’t our fault . . . and we need to make sure that you’re safe.”

In a 2017 Pew Research Center survey of U.S. Muslims, nearly half of respondents said they experienced at least one instance of religious discrimination within the year be-

fore; yet 49% said someone expressed support for them because of their religion in the previous year.

Overwhelmingly, the study found respondents proud to be both Muslim and American. For some, including Olow, there were occasional identity crises growing up.

“Who am I?”—which I think is what many young people kind of go through in life in general,” she says. “But for those of us who live at the intersection of anti-Blackness and Islamophobia . . . it was really hard.”

But her experiences from that time also helped form her identity. She is now seeking a seat on the King County Council.

“There are many young people who have multiple identities who have felt that they don’t belong here, that they are not welcomed here,” she says. “I was one of those young people. And so, I try to do what I can to make sure that more of us know that this is our nation, too.”

After 9/11, some American Muslims chose to dispel misconceptions about their faith by building personal connections. They shared coffee or broke bread with strangers as they fielded myriad questions—from how Islam views women and Jesus to how to combat extremism.

Mansoor Shams has traveled across the U.S. with a sign that reads: “I’m Muslim and a U.S. Marine, ask anything.” It’s part of the 39-year-old’s efforts to teach others about his faith and counter hate through dialogue.

Shams, who served in the Marines from 2000 to 2004, was called names like “Taliban,” “terrorist” and “Osama bin Laden” by some of his fellow Marines after 9/11.

One of his most memorable interactions, he says, was at Liberty University in Virginia, where he spoke in 2019 to students of the Christian institution. Some, he says, still call him with questions about Islam.

“There’s this mutual love and respect,” he says.

Shams wishes his current work wasn’t needed but feels a responsibility to share a counternarrative he says many Americans don’t know.

Ahmed Ali Akbar, 33, came to a different conclusion.

Shortly after 9/11, some adults in his community arranged for an assembly at his school in Saginaw, Michigan, where he and other students talked about Islam and Muslims. Akbar poured his heart into the research. But he recalls his confusion at some of the questions: Where is bin Laden? What’s the reason behind the attacks?

“How am I supposed to know where Osama bin Laden is? I’m an American kid,” he says.

That period left him feeling like trying to change people’s minds wasn’t always effective, that some were not ready to listen.

Akbar eventually turned his focus toward telling stories about Muslim Americans on his podcast “See Something Say Something.”

“There’s a lot of humor in the Muslim American experience as well,” he says. “It’s not all just sadness and reaction to the violence and . . . racism and Islamophobia.”

He has also come to believe in building connections of a different type. “Our battle for our civil liberties (is) tied up with other marginalized communities,” he says, stressing the importance of advocating for them.

For some, 9/11 brought a different kind of racial reckoning, says Debbie Almontaser, a Yemeni American educator and activist in New York.

She says many Arab and South Asian immigrants came to the U.S. seeking the American Dream as doctors, lawyers, entrepreneurs. “Then 9/11 happens and they realize that they’re brown and they realize that they’re minorities—that was a huge wake-up call,” Almontaser says.

Some racial tensions play out today in U.S. Muslim communities. The racial justice protests sparked by the killing of George Floyd, for instance, brought many Muslims to the streets to condemn racism. But they also spurred an internal reckoning about racial equity among Muslims, including the treatment of Black Muslims.

"For me, as a Muslim African American, my struggle (in America) is still with race and identity," says imam Ali Aqeel of the Muslim American Cultural Center in Nashville, Tennessee.

"When we go to (Islamic) centers and we have to deal with the same pain that we deal with out in the world, it's kind of discouraging to us because we're under the impression that (in) Islam, you don't have that racial and ethnic divide."

Amirah Ahmed, 17, was born after the attacks and feels like she was thrust into a struggle not of her making—a burden despite being "just as American as anyone else."

She recalls how a few years ago at her Virginia school's 9/11 commemoration, she felt students' stares at her and her hijab so intensely that she wanted to skip the next year's event.

When her mother dismissed the idea, she instead wore her Americanness as a shield, donning an American flag headscarf to address her classmates from a podium.

Ahmed spoke about honoring the lives of those who died in America on 9/11—but also of Iraqis who died in the war launched in 2003. She recalls defending her Arab and Muslim identities that day while displaying her American one and says it was a "really powerful moment."

But she hopes her future children don't feel the need to prove they belong.

"Our kids are going to be (here) well after the 9/11 era," she says. "They should not have to continue fighting for their identity."

Mr. MCGOVERN. Mr. Speaker, a recent poll, as I mentioned earlier, found that 53 percent of Americans, unfortunately, hold negative views of Muslims—53 percent. Islamophobia isn't just a problem abroad. We need to combat it here at home as well.

Mr. Speaker, I include in the RECORD a December 9 report released by the Department of Justice titled "2020 Hate Crimes Statistics."

#### 2020 HATE CRIMES STATISTICS

In August 2021, the Federal Bureau of Investigation (FBI) released Hate Crime Statistics 2020, an annual compilation of bias-motivated incidents in the United States. Though the number of reporting agencies decreased by 452 since 2019, the overall number of reported incidents increased by 949, contributing to a total of 8,263 hate crime incidents against 11,126 victims in 2020. While annual law enforcement agency participation may fluctuate, the statistics indicate that hate crimes remain a concern for communities across the country.

According to this year's data, 62% of victims were targeted because of the offenders' bias toward race/ethnicity/ancestry, which continues to be the largest bias motivation category. Participating agencies reported 5,227 race/ethnicity/ancestry-based incidents in 2020, a 32% increase from 2019. Anti-Black or African American hate crimes continue to be the largest bias incident victim category, with 2,871 incidents in 2020, a 49% increase since 2019. Additionally, there were 279 anti-Asian incidents reported in 2020, a 77% increase since 2019. The other largest categories of hate crimes include anti-Hispanic or Latino incidents, with 517, and anti-White incidents, with 869 in total.

Incidents related to religion decreased 18% from 2019, with 1,244 total incidents reported. The largest category included:

683 anti-Jewish incidents, down 28% since 2019;

110 anti-Muslim incidents, down 38%;

15 anti-Buddhist incidents, up 200%; and

89 anti-Sikh incidents, up 83%.

Incidents related to disability decreased 17% from 2019, with 130 total incidents reported. By category:

Anti-mental disability incidents decreased by 29% since 2019, and

Anti-physical disability incidents increased by 8%.

Incidents related to gender and gender identity increased since 2019 with increases in gender-related incidents by 9% and gender identity-related incidents by 34%. There were:

50 anti-female incidents, a decrease of 4% since 2019;

25 anti-male incidents, an increase of 47%;

213 anti-transgender incidents, an increase of 41%; and

53 anti-gender non-conforming incidents, an increase of 13%.

See the Hate Crimes website for more highlights from the data: <https://www.justice.gov/hatecrimes/hate-crime-statistics>. The full data set can be found on the FBI's Crime Data Explorer website at <https://crime-data-explorer.app.cloud.gov/pages/explorer/crime/hate-crime>.

The FBI Hate Crime Statistics is an annual compilation of bias-motivated incidents in the United States. For the purpose of the report, a hate crime is defined as a criminal offense which is motivated, in whole or in part, by the offender's bias(es) against a person based on race, ethnicity, ancestry, religion, sexual orientation, disability, gender, and gender identity. The 2020 data provides information voluntarily submitted from 15,136 of 18,623 law enforcement agencies around the country on offenses, victims, offenders, and locations of hate crimes.

Mr. MCGOVERN. Mr. Speaker, according to FBI statistics, in 2020 there were 110 anti-Muslim incidents, and there were an additional 89 hate crimes against Sikhs who are often wrongly identified as Muslim.

We know that hate crimes often go under-reported, so the actual number is likely much higher, which is another reason I think passing this bill is important.

I include in the RECORD a September 10 Business Insider article titled "House Republicans Mocked Ilhan Omar's Bill to Establish an Envoy to Combat Islamophobia Worldwide."

[From the Business Insider, Dec. 10, 2021]

HOUSE REPUBLICANS MOCKED ILHAN OMAR'S BILL TO ESTABLISH AN ENVOY TO COMBAT ISLAMOPHOBIA WORLDWIDE

(Bryan Metzger)

In the wake of Rep. Lauren Boebert's Islamophobia comments suggesting that Rep. Ilhan Omar was a suicide bomber, House Republicans spent much of a Thursday hearing mocking a bill put forth by the Muslim Minnesota congresswoman to combat Islamophobia worldwide.

"I have many Pennsylvania Dutch that feel that they're not treated properly," said Rep. Dan Meuser of Pennsylvania, sarcastically calling for their inclusion in Omar's Islamophobia bill. "How about those that are gay, you know, the LGBTQ community? That should be part of this bill."

"Let's keep going, you know, there are people that are overweight, and there are skinny kids that get picked on," Meuser added. "Why aren't they included in this as well?"

Rep. Omar's bill, which she introduced in late October alongside Democratic Rep. Jan Schakowsky of Illinois, would require the State Department to establish a special envoy for monitoring and combating Islamophobia and is modeled after a similar position created in 2004 to combat anti-Semitism.

"For over a decade we have seen increasing incidents of violent Islamophobia both in the US and worldwide—from the genocide of the Rohingya in Burma, and Uyghurs in China, to the attacks on Muslim refugees in Canada and New Zealand," Rep. Schakowsky said at the time.

"Hate crimes against American Muslims saw a 17% spike in 2017, when then-President Trump imposed a travel ban most focused on majority-Muslim nations."

The bill ultimately passed the House Foreign Relations Committee on Friday, with every Democrat voting in favor and every Republican opposed, and is expected to head to a full House vote on Tuesday. Democratic leadership is reportedly considering a vote on the bill as way to respond to the Boebert controversy, even as progressive lawmakers have introduced a resolution to strip Boebert of her committees.

House Republican leaders, including Minority Leader Kevin McCarthy and Minority Whip Steve Scalise, have declined to forcefully condemn Boebert's Islamophobia rhetoric or take any meaningful action against her.

#### 'SHAMEFUL AND EMBARRASSING'

On Thursday evening, Republicans used both proposed amendments to Omar's bill and comments during the hearing to mock both the bill and Omar herself, in addition to downplaying Islamophobia.

Republican Rep. Steve Chabot of Ohio, who accidentally posted an image from an anti-Semitic website in 2017, said that Omar's bill would "trivialize" anti-Semitism, given the existence of another State Department post to combat that form of bigotry. "We should avoid such a dangerous false equivalency at all costs, as it could be used by some extremists to actually justify further anti-Semitic activity," said Chabot.

"If you ask 20 different people what Islamophobia means today, especially in the Democratic Party, you're going to get 20 different answers," said the Florida Republican. "And that answer is going to be what they decide best fits their political narrative to go out there and attack you."

And Republican Rep. Ken Buck of Ohio offered an amendment to specify that it "shall not be considered Islamophobia for an individual to criticize a brother marrying a sister for the purpose of committing immigration fraud in the United States," an apparent reference to long-standing right-wing conspiracy theories about the congresswoman.

As of publication time, the amendment was no longer available on the House Foreign Relations Committee website and was presumably withdrawn. Rep. Buck's office did not respond to Insider's request for comment.

But other amendments by Buck, including one mentioning female genital mutilation, remained online. Another amendment offered by Republican Rep. Scott Perry of Pennsylvania sought to exclude "any action (to include counter-terrorism measures) taken by the Israeli Government" from the bill.

In a statement to Insider, Omar condemned Republican behavior during the hearing.

"It is shameful and embarrassing that the Republican Party's response to blatant Islamophobia and incitement of violence is

to double down on anti-Muslim rhetoric," she said. "Instead of engaging in a good faith discussion on how to address the rise of Islamophobic violence, Republicans engaged in ad hominem attacks, belittled Muslims, and minimized the pain of Muslim communities around the world."

And Democrats on the committee sought to defend Omar's bill.

"One reason the United States is doing a diplomatic boycott of the Olympics in China is because China's engaging in a genocide of Muslims, of the Uyghurs, because of their religion," said Rep. Ted Lieu of California. "The Rohingya in Burma were slaughtered because they were Muslims."

He also called attention to Boebert's Islamophobic remarks.

"We had a congressman from the Republican Party joke about a congressman in the Democratic Party, that somehow she was a terrorist simply because of a religion," Lieu said. "That's Islamophobia."

Mr. MCGOVERN. Mr. Speaker, I don't know what the hell is going on in some corners of the Republican Conference, but to have Republican Members mock this bill, as they did during a recent committee hearing, is disgusting. This is no laughing matter. In fact, it is a matter of life and death.

We are talking about violence, death threats, bullying, desecrating mosques, and worse. Instances like that just show why we need to pass this bill.

Again, my Republican friends, as they do oftentimes when we have important matters like this up, they want to talk about everything except what is on the floor. But the reason why this is important is because I think we should show the world that we speak with one voice; that we are against hatred; that we are against bigotry; that we will not stand by silently in the face of Islamophobia; that we want to be an example, and we want to lead the rest of the world.

Mr. Speaker, I reserve the balance of my time.

Mr. RESCENTHALER. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. Mr. Speaker, I thank my friend from Pennsylvania for yielding.

Mr. Speaker, I rise in support of the underlying legislation that we are trying to bring to the floor which, if we defeat the previous question, would actually come up to confront a major problem facing families.

If you look over the last few weeks, Mr. Speaker, this Congress has done a lot of things. It has spent a lot of money. There was a bill just 2 weeks ago to raise over \$4.5 trillion in taxes and new spending, which would fuel inflation even higher.

What families across America are telling us is: Why doesn't Congress work for those families who are struggling?

Why doesn't Congress work to confront the challenges they are facing every single day?

It seems as if this majority is tone-deaf to the real problems that are hurting families today. It is inflation, and

it is the spending in Washington that is driving that inflation. And one of those leading indicators is the high price of gasoline because it is something that maybe multiple times a week families have to go fill up their car. They pay over \$150 to do it, and they can't afford it.

So we have a bill to actually do something about that, something we haven't seen on this floor for weeks. It is a bill to actually confront a crisis that was created by this President. Unfortunately, there are crises after crises that have been created by President Biden.

One of those is an energy crisis self-created by President Biden. When he walked in the door prices were 40 to 60 percent less for gasoline. When you go to the grocery store everything is more expensive, Mr. Speaker; and if you are shopping for Christmas, things are more expensive if you can even find those gifts that you want to put under the tree.

So here we bring a bill, if we are able to defeat this previous question, to confront one of these challenges. And that is how this President has abused the Strategic Petroleum Reserve because the Strategic Petroleum Reserve is not supposed to be a piggy bank to cover up for the failed policies of the Biden administration. Yet that is what they have done.

Mr. Speaker, when you saw the President raid the SPR the other day, we actually had an increase in prices because people recognize this President isn't serious about addressing the problem.

This bill by Republican Leader MCMORRIS RODGERS of the Energy and Commerce Committee, as well as FRED UPTON, myself, and others would force the Departments of the Interior and Energy to confront this crisis.

By the way, when President Biden goes and begs OPEC and Russia to produce more oil, how about we start here at home where we have actually got a surplus?

□ 1345

We were exporting oil to our friends all around the world, helping our friends geopolitically. And that was undermined when President Biden cut off the Keystone pipeline, cut off production on Federal lands, but he greenlighted the Russian pipeline. He begged OPEC to produce more oil, which, by the way, emits more carbon if that is what you are concerned about.

Mr. Speaker, why don't we focus on those things that will help American jobs and help lower carbon emissions? That is producing more American energy, and do you know what else it does? It lowers the price of gasoline. I urge rejection of the previous question.

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. RESCENTHALER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CRENSHAW), my good friend.

Mr. CRENSHAW. Mr. Speaker, I thank my friend for yielding.

Mr. Speaker, 'tis the season of misplaced priorities. In the midst of rising inflation, labor shortages, open borders, and foreign policy blunders, my colleagues seem to think that Islamophobia is what Americans care about.

I would rather talk about something that Americans actually care about: gassing up their cars and keeping the heat on. In November, President Biden said: "... the reason Americans are facing high gas prices is because oil-producing countries and large companies have not ramped up the supply of oil quickly enough to meet the demand, and the smaller supply means higher prices. . . ."

Well, that is true. But he is not making the point that he thinks he is. Yes, there is a lack of production, but the question is why. Why has the world's number one oil and gas producer, the United States, not been able to ramp up production? The answer is actually simple: because Joe Biden has made it a priority to kill the American energy industry.

President Biden cancelled the Keystone pipeline, outlawed new oil and gas leases on Federal lands and waters, and has threatened even more burdensome regulations that put a freezing effect on any kind of new production that even Biden himself recognizes is needed.

Of course, most recently, with the help of even my colleagues from Texas on the Democrat side, they managed to pass an unprecedented tax on natural gas through the House as part of their socialist spending package.

It gets more interesting. In a letter to Speaker PELOSI, seven Texas Democrats put the natural gas tax in stark terms saying: This tax will "cost thousands of jobs, stifle economic recovery, increase energy costs for all Americans, strengthen our adversaries, and ultimately impede the transition to a lower carbon future."

These are very strong and very true words from my Democratic colleagues, but guess what? They voted for it anyways. And now Democrats are scrambling because they know Americans are starting to feel the pain of their policies. It has gotten so bad that Democrats are celebrating a two-cent decline in gas prices. Oh, I thank Joe Biden for the two-cent decline.

It would be funny if it weren't so serious that the Energy Secretary doesn't even know that their plan to release from the strategic petroleum reserve was only about 2 days' worth of oil. There is nothing funny about this. And the administration responds by telling people to put on a sweater and buy an electric vehicle.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

You know, we face a lot of challenges in this country and, in large part, we are still trying to come out of a pandemic that the previous administration tried to ignore.



We actually have done some good things. We passed a major infrastructure bill. In the previous administration we had infrastructure week and infrastructure month, and a press conference, but we actually passed a real infrastructure bill with bipartisan support over in the Senate and a handful of Republicans here.

I say to the previous speaker, to suggest that the American people don't care about Islamophobia, I think, is insulting. I mean, you say that to the Muslim student being bullied in a classroom because of their faith, or say that to a Muslim worshipper at a mosque that has been attacked, or say that to a Muslim family that has been belittled because of ignorances being promoted by some, including some in this Chamber.

I mean, please, the American people are good and decent. They do not want to accept prejudice and bigotry and hate and discrimination. They expect better.

We heard some talk earlier about the Uyghurs, and we need to do more for the Uyghurs, which we are doing, but I got a little whiplash saying that we need to move faster to combat the atrocities against the Muslim Uyghur population, but then on the other hand, we are told that nobody cares. You can't have it both ways.

But to suggest that the American people are indifferent to prejudice is something I won't accept.

I reserve the balance of my time.

Mr. RESCHENTHALER. Mr. Speaker, I yield myself such time as I may consume.

I didn't anticipate that we were going to talk about the pandemic, but since we are on the topic, let's just get one thing clear. There have been more deaths from this pandemic under President Biden than under President Trump. Remember, President Trump is the one that put forth Operation Warp Speed with our pharmaceutical industry to get a vaccine to market incredibly quick, in fact, in record-breaking time. So again, there were more deaths under President Biden than President Trump. So who is really ignoring the pandemic?

Let's talk about the Uyghurs. The Chinese openly and proudly refer to Uyghur concentration camps as reeducation camps. It is a sin how the Chinese are trying to cover up the modern-day concentration camps they have. They claim they are necessary to "rid them of terrorists and extremist leanings."

In these camps you have torture like sleep deprivation; people are being hung from walls; people are being locked in what is called a tiger chair, a steel chair with fixed leg irons and handcuffs that render their body immobile, often in very painful positions. Chinese officials have created a massive nearly week-long bonfire to burn documents that regard the oversight of these camps.

It is time that we call out the Chinese Communist Party for the atroc-

ities they are committing on the Uyghurs.

When we are talking about legislation on this point it is actually the Speaker that slow-walked legislation by as much as 5 months. Let me explain the legislative history. The Senate passed the Uyghur Forced Labor Prevention Act, which bans imports of goods made with forced Uyghur labor, in July of 2021 unanimously. That was in the Senate. Top House Democrats pointed to a procedural issue and promised future action and then finally passed the bill in December. Again, a 5-month delay for what?

Well, according to reports, the Speaker slow-walked this bill at the request of the Biden administration, who prioritized climate change and climate reforms over human rights violations in China. Further, the Biden administration asked that the bill be watered down, which is truly disgusting when you look at the human rights violations going on in China.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Georgia (Mrs. GREENE).

Mrs. GREENE of Georgia. Mr. Speaker, I rise in opposition to the Islamophobia bill. One thing that seems to be missing from this bill is the definition of Islamophobia. What this bill does is it sets up, through the State Department, an envoy to monitor and combat acts of Islamophobia and Islamophobic incitement that occur in foreign countries. This is about Islamophobia in foreign countries and the State Department monitoring and combating these acts. This is what we need to talk about. What does that exactly mean?

If we pass this resolution, does that mean our State Department is going to be monitoring how Israel responds when rockets are being fired from Hamas into Israel? If they defend themselves, does that mean the State Department is going to combat their actions because it will be considered Islamophobic? More questions need to be asked.

In Europe, there are no-go zones with high crime statistics. As a matter of fact, rape is a modern occurrence that happens all the time in these no-go zones. So if women are raped by Muslims in no-go zones and they want to file charges against them, is our State Department going to be monitoring those trials and then combating these women's defense because they are claiming it is Islamophobic because Muslim men raped them and that becomes part of the conversation?

What exactly does this mean, and why is our State Department taking this on? It shouldn't be. As a matter of fact, this is a bill that we should not be debating. This is a bill we should not be voting on because the United States State Department doesn't need to be monitoring and combating Islamophobia when it is not even defined in the bill for foreign countries; not the United States of America.

I have heard a lot of conversation from my colleagues across the aisle about Islamophobia in America, which we completely are against hate of any kind against anyone. And that is why we have laws against such hateful crimes and actions. But monitoring what is happening in foreign countries, which the State Department does, doesn't mean that it needs to combat Islamophobia when it is not even defined in the bill.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. RESCHENTHALER. Mr. Speaker, I yield the gentlewoman an additional 15 seconds to summarize.

Mrs. GREENE of Georgia. This is a vote for every single person in Congress that should be "no" because this is an open door with no end to the book of where this can go for the United States of America, and this is a role that we should not be engaging in.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the fact that the gentleman yielded the gentlewoman more time because that made absolutely no sense to me.

Mr. Speaker, let me just say to the gentleman from Pennsylvania on the Uyghur thing; let me repeat the history again so it is clear to him. A year ago, we passed the Uyghur Forced Labor Prevention Act in the House. It went over to the Senate. MITCH MCCONNELL and Donald Trump killed it. Nobody said a word.

The bill that passed last week that the gentleman was referring to is my bill. The bill that we are going to take up later today is my bill that we negotiated the differences between the House and Senate with Senator RUBIO. The gentleman will be happy to know that the bill that we are passing today is stronger than the Senate-passed version. Maybe he would prefer a weaker version because that is what a lot of corporations that are very friendly to my Republican friends are now lobbying very hard for: a watered-down bill.

So this bill is not watered down. It is a stronger bill than passed the Senate. I would even like it to be stronger. But please, don't politicize human rights in a way where I think, to be fair, my friend is mischaracterizing what the history of this issue is. I don't take a back seat to anybody when it comes to human rights or it comes to human rights with regard to the Uyghurs. We have been fighting for this for a long time and we finally have a Speaker of the House and a President of the United States who will sign this bill when it gets there. And I want to thank the leadership in the Senate. I want to thank Senator RUBIO. I want to thank Congressman SMITH here in the House, Ranking Member McCaul, and Chairman MEEKS for their cooperation.

But we are moving a bill forward that has teeth, that is real, that is tough. It is the strongest bill we have



ever passed on this. But please don't politicize it. I have been working on this too long.

I reserve the balance of my time.

Mr. RESCHENTHALER. Mr. Speaker, I yield myself the balance of my time as I have no further speakers at this time, and I am prepared to close.

I applaud Chairman MCGOVERN for his work on this piece of legislation. I applaud Senator RUBIO, of course, and my colleague, Mr. SMITH of New Jersey, for working on the legislation. And just to clarify, when I was talking about the watered-down version that the administration is trying to water down, I was talking about the Senate version of this bill. If I misspoke, I want to clarify the RECORD now. That is what I was speaking to.

But, again, I applaud anybody who is working on holding the Chinese Communist Party accountable for the atrocities they are committing on the Uyghurs. Let me be clear about something: House Republicans will continue to stand against all forms of hate and Islamophobia. We will continue to stand with Uyghurs in China and with all people experiencing religious persecution.

Unfortunately, H.R. 5665, this piece of legislation, is a rushed bill. It presents serious First Amendment concerns. It will complicate existing efforts to protect human rights and religious freedom around the globe. It is also incredibly duplicative. We already have the Bureau of Democracy, Human Rights, and Labor. We already have the Office of International Religious Freedom. We already have the U.S. Commission on International Religious Freedom. We already have institutions and bodies that are focused on this.

For those reasons, I urge my colleagues to vote "no" on the previous question and "no" on the rule. I yield back the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let me just say again that this really shouldn't be controversial at all, and I am sad that it is being politicized by some of my friends on the other side of the aisle. We have heard one objection after the next to this bill which condemns Islamophobia as if somehow condemning Islamophobia is some sort of a radical idea.

I never thought I would yearn for the Republicanism of George W. Bush. But maybe things have gotten so out of control in the Republican Party today that Members cannot even stand here and publicly defend a Muslim from bullying or worse. I pray that is not the case.

Some things are about more than petty partisanship and towing the party line. This should be one of them.

□ 1400

We have kids being bullied in school, hate crimes on the rise, mosques targeted for violence. That is just here in America. Around the world, Muslims

are being silenced from public discourse, forced into detention camps, or disappeared altogether.

We are a Nation founded on the right to freedom of religion and freedom of worship. It is a fundamental part of being the United States of America. We must stand up and say that this is not right, the rise in Islamophobia that we see globally.

I want to recognize the leadership of Congresswoman OMAR, Congresswoman SCHAKOWSKY, and Chairman MEEKS. They understand that this is the right thing to do. It is the American thing to do. They have worked tirelessly to get this bill to the House floor.

Now, we must get this bill over the finish line and on to the Senate because even today, even in this highly partisan era, the United States must and can still stand for human rights at home and abroad.

Mr. Speaker, I urge all of my colleagues to vote "yes" on this rule and the underlying legislation.

The material previously referred to by Mr. RESCHENTHALER is as follows:

#### AMENDMENT TO HOUSE RESOLUTION 849

At the end of the resolution, add the following:

SEC. 2. Immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the bill (H.R. 6235) to provide for the development of a plan to increase oil and gas production under oil and gas leases of Federal lands under the jurisdiction of the Secretary of Agriculture, the Secretary of Energy, the Secretary of the Interior, and the Secretary of Defense in conjunction with a drawdown of petroleum reserves from the Strategic Petroleum Reserve. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to recommit.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 6235.

Mr. MCGOVERN. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. JOHNSON of Georgia). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RESCHENTHALER. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings are postponed.

#### RELATING TO THE CONSIDERATION OF HOUSE REPORT 117-216 AND AN ACCOMPANYING RESOLUTION

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfin-

ished business is the vote on ordering the previous question on the resolution (H. Res. 848) relating to the consideration of House Report 117-216 and an accompanying resolution, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question on the resolution.

The vote was taken by electronic device, and there were—yeas 218, nays 209, not voting 6, as follows:

[Roll No. 441]

#### YEAS—218

Adams	Garcia (TX)	O'Halleran
Aguilar	Golden	Omar
Allred	Gomez	Pallone
Auchincloss	Gonzalez,	Panetta
Axne	Vicente	Pappas
Barragan	Gottheimer	Pascarell
Bass	Green, Al (TX)	Payne
Beatty	Grijalva	Perlmutter
Bera	Harder (CA)	Peters
Beyer	Hayes	Phillips
Bishop (GA)	Higgins (NY)	Pingree
Blumenauer	Himes	Pocan
Blunt Rochester	Horsford	Porter
Bonamici	Houlihan	Pressley
Bourdeaux	Hoyer	Price (NC)
Bowman	Huffman	Quigley
Boyle, Brendan	Jackson Lee	Raskin
F.	Jacobs (CA)	Ross
Brown (MD)	Jayapal	Roybal-Allard
Brown (OH)	Jeffries	Ruiz
Brownley	Johnson (GA)	Ruppersberger
Bush	Jones	Rush
Bustos	Kahele	Ryan
Butterfield	Kaptur	Sánchez
Carbajal	Keating	Sarbames
Cárdenas	Kelly (IL)	Scanlon
Carson	Khanna	Schakowsky
Carter (LA)	Kildee	Schiff
Cartwright	Kilmer	Schneider
Case	Kim (NJ)	Schrader
Casten	Kind	Schrier
Castor (FL)	Kinzinger	Scott (VA)
Castro (TX)	Kirkpatrick	Scott, David
Cheney	Krishnamoorthi	Sewell
Chu	Kuster	Sherman
Ciциlline	Lamb	Sherrill
Clark (MA)	Langevin	Sires
Clarke (NY)	Larsen (WA)	Slotkin
Cleaver	Larson (CT)	Smith (WA)
Clyburn	Lawrence	Soto
Cohen	Lawson (FL)	Spanberger
Connolly	Lee (CA)	Speier
Cooper	Lee (NV)	Stansbury
Correa	Leger Fernandez	Stanton
Costa	Levin (CA)	Stevens
Courtney	Levin (MI)	Strickland
Craig	Lieu	Suozi
Crist	Lofgren	Swalwell
Crow	Lowenthal	Takano
Cuellar	Luria	Thompson (CA)
Davids (KS)	Lynch	Thompson (MS)
Davis, Danny K.	Malinowski	Titus
Dean	Maloney,	Tlaib
DeFazio	Carolyn B.	Tonko
DeGette	Maloney, Sean	Torres (CA)
DeLauro	Manning	Torres (NY)
DelBene	Matsui	Trahan
Delgado	McBath	Trone
Demings	McCollum	Underwood
DeSaulnier	McEachin	Vargas
Deutch	McGovern	Veasey
Dingell	McNerney	Vela
Doggett	Meeks	Velázquez
Doyle, Michael	Meng	Wasserman
F.	Mfume	Schultz
Escobar	Moore (WI)	Waters
Eshoo	Morelle	Watson Coleman
Espallat	Moulton	Welch
Evans	Mrvan	Wexton
Fletcher	Nadler	Wild
Foster	Napolitano	Williams (GA)
Frankel, Lois	Neal	Wilson (FL)
Gallego	Neguse	Yarmuth
Garamendi	Newman	
Garcia (IL)	Norcross	

## NAYS—209

Aderholt Gohmert Moolenaar  
 Allen Gonzales, Tony Mooney  
 Amodei Gonzalez (OH) Moore (AL)  
 Armstrong Good (VA) Moore (UT)  
 Arrington Gooden (TX) Mullin  
 Babin Gosar Murphy (NC)  
 Bacon Granger Nehls  
 Baird Graves (LA) Newhouse  
 Balderson Graves (MO) Norman  
 Banks Green (TN) Nunes  
 Barr Greene (GA) Obernolte  
 Bentz Griffith Owens  
 Bergman Grothman Palazzo  
 Bice (OK) Guest Palmer  
 Biggs Guthrie Pence  
 Bilirakis Hagedorn Perry  
 Bishop (NC) Harris Pfluger  
 Boebert Harshbarger Posey  
 Bost Hartzler Reed  
 Brady Hern Reschenthaler  
 Brooks Herrell Rice (SC)  
 Buchanan Herrera Beutler Rodgers (WA)  
 Buck Hice (GA) Rogers (AL)  
 Bucshon Hill Rogers (KY)  
 Budd Hinson Rose  
 Burchett Hollingsworth Rosendale  
 Burgess Hudson Rouzer  
 Calvert Huizenga Roy  
 Cammack Issa Rutherford  
 Carey Jackson Salazar  
 Carl Jacobs (NY) Scalise  
 Carter (GA) Johnson (LA) Schweikert  
 Carter (TX) Johnson (OH) Scott, Austin  
 Cawthorn Johnson (SD) Sessions  
 Chabot Jordan Simpson  
 Cline Joyce (OH) Smith (MO)  
 Cloud Joyce (PA) Smith (NE)  
 Clyde Katko Smith (NJ)  
 Cole Keller Smucker  
 Comer Kelly (MS) Spartz  
 Crawford Kelly (PA) Stauber  
 Crenshaw Kim (CA) Steel  
 Curtis Kustoff Stefanik  
 Davidson LaHood Steil  
 Davis, Rodney LaMalfa Steube  
 DesJarlais Lamborn Stewart  
 Diaz-Balart Latta Taylor  
 Donalds LaTurner Tenney  
 Duncan Lesko Thompson (PA)  
 Dunn Letlow Tiffany  
 Ellzey Long Timmons  
 Emmer Loudermilk Turner  
 Estes Lucas Upton  
 Fallon Luetkemeyer Valadao  
 Feenstra Mace Van Drew  
 Ferguson Malliotakis Van Duyne  
 Fischbach Mann Wagner  
 Fitzgerald Massie Walberg  
 Fitzpatrick Mast Walorski  
 Fleischmann McCarthy Waltz  
 Fortenberry McCaul Weber (TX)  
 Foxx McClain Webster (FL)  
 Franklin, C. McClintock Wenstrup  
 Scott McHenry Westerman  
 Fulcher McKinley Williams (TX)  
 Gallagher Meijer Wilson (SC)  
 Garbarino Meuser Wittman  
 Garcia (CA) Miller (IL) Womack  
 Gibbs Miller (WV) Young  
 Gimenez Miller-Meeks Zeldin

## NOT VOTING—6

Gaetz Johnson (TX) Ocasio-Cortez  
 Higgins (LA) Murphy (FL) Rice (NY)

□ 1439

Messrs. BURCHETT and LUCAS changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Ms. OCASIO-CORTEZ. Mr. Speaker, while in a meeting with constituents, I missed the rollcall No. 441 vote. Had I been present, I would have voted “yea” on rollcall No. 441.

MEMBERS RECORDED PURSUANT TO HOUSE  
 RESOLUTION 8, 117TH CONGRESS

Allred (Davids)	Armstrong	Barragán (Beyer)
(KS)	(Johnson (SD))	Bass (Cicilline)
Amodei	Axne (Wild)	Bera (Aguilar)
(Balderson)	Baird (Bucshon)	

Bilirakis (Fleischmann)	Hayes (Wild)	Palazzo (Fleischmann)
Blumenauer (Beyer)	Herrera Beutler (Rice (SC))	Pascarell (Pallone)
Bonamici (Kuster)	Horsford (Carter (LA))	Peters (Kildee)
Bowman (Pocan)	Huffman (Levin (CA))	Pingree (Kuster)
Boyle, Brendan F. (Evans)	Jacobs (CA) (Correa)	Porter (Aguilar)
Brooks (Moore (AL))	Jacobs (NY) (Garbarino)	Posey (Cammack)
Brownley (Kuster)	Jackson (Van Duyne)	Price (NC) (Connolly)
Buchanan (Waltz)	Jayapal (Raskin)	Reed (Rice (SC))
Butterfield (Kildee)	Jones (Craig) Joyce (OH)	Rodgers (WA) (Joyce (PA))
Carl (Joyce (PA))	Kahele (Mrvan)	Rogers (KY)
Calvert (Garcia (CA))	Katko (Meijer) Keller (Joyce (PA))	Reschenthaler (Connolly)
Cárdenas (Gomez)	Khanna (Connolly)	Roybal-Allard (Connolly)
Carter (TX) (Weber (TX))	Kinzing (Meijer)	Ruiz (Aguilar)
Case (Correa)	Kilmer (Kildee)	Ruppersberger (Aguilar)
Cawthorn (McClain)	Kim (CA) (Gonzalez (OH))	Rush (Quigley)
Clark (MA) (Kuster)	Kinzing (Meijer)	Ryan (Kildee)
Cohen (Beyer)	Kirkpatrick (Pallone)	Salazar (Cammack)
Crist (Soto)	Krishnamoorthi (Brown (MD))	Sánchez (Costa)
Cuellar (Green (TX))	Lamborn (Bacon)	Schrader (Correa)
Curtis (Stewart)	Lawson (FL) (Evans)	Sessions (Babin)
DeFazio (Brown (MD))	Leger Fernandez (Gallego)	Sewell (Cicilline)
DelBene (Larsen (WA))	Lesko (Joyce (PA))	Simpson (Stewart)
DeGette (Blunt Rochester)	Long (Banks) Loudermilk	Sires (Pallone)
DeSaulnier (Beyer)	Long (Banks) Loudermilk	Speier (Thompson (CA))
Diaz-Balart (Reschenthaler)	Lowenthal (Beyer)	Stansbury (Kuster)
Doggett (Raskin)	Luetkemeyer (McHenry)	Stefanik (Reschenthaler)
Donalds (Mann)	Maloney, Carolyn B.	Steube (Fleischmann)
Doyle, Michael F. (Evans)	Maloney, Carolyn B.	Strickland (Schrier)
Escobar (Garcia (TX))	Maloney, Carolyn B.	Suozi (Kildee)
Espallat (Correa)	McEachin (Cicilline)	Swalwell (Gomez)
Fletcher (Raskin)	Mast (Waltz) McEachin (Cicilline)	Titus (Connolly)
Frankel, Lois (Kuster)	Meng (Kuster) Meuser (Reschenthaler)	Tonko (Pallone)
Garamendi (Sherman)	Mfume (Brown (MD))	Torres (NY)
Gohmert (Weber (TX))	Miller (WV) (Van Duyne)	(Cicilline)
Gonzalez, Vicente (Correa)	Moore (UT) (Stewart)	Trahan (McGovern)
Gosar (Boebert)	Nadler (Pallone) (Correa)	Trone (Brown (MD))
Granger (Arrington)	Napolitano (Correa)	Underwood (Casten)
Green (TN) (Fleischmann)	Neal (Beyer) Neguse (Perlmutter)	Van Drew (Reschenthaler)
Grijalva (Stanton)	Nehls (Fallon) Newman (Wild)	Vargas (Correa)
Guthrie (Bucshon)	Nunes (Garcia (CA))	Velázquez (Clarke (NY))
Hagedorn (Moolenaar)	O'Halleran (Stanton)	Wagner (McHenry)
Hartzler (DesJarlais)	Owens (Stewart)	Walorski (Banks)

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. FISCHBACH. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 220, nays 210, not voting 3, as follows:

[Roll No. 442]

## YEAS—220

Adams	Auchincloss	Bass
Aguilar	Axne	Beatty
Allred	Barragán	Bera

Beyer	Green, Al (TX)	Omar
Bishop (GA)	Grijalva	Pallone
Blumenauer	Harder (CA)	Panetta
Blunt Rochester	Hayes	Pappas
Bonamici	Higgins (NY)	Pascarell
Bourdeaux	Himes	Payne
Bowman	Horsford	Perlmutter
Boyle, Brendan	Houlahan	Peters
F.	Hoyer	Phillips
Brown (MD)	Huffman	Pingree
Brown (OH)	Jackson Lee	Pocan
Brownley	Jacobs (CA)	Porter
Bush	Jayapal	Pressley
Bustos	Jeffries	Price (NC)
Butterfield	Johnson (GA)	Quigley
Carbajal	Johnson (TX)	Raskin
Cárdenas	Jones	Rice (NY)
Carson	Kahele	Ross
Carter (LA)	Kaptur	Roybal-Allard
Cartwright	Keating	Ruiz
Case	Kelly (IL)	Ruppersberger
Casten	Khanna	Rush
Castor (FL)	Kildee	Ryan
Castro (TX)	Kilmer	Sánchez
Cheney	Kim (NJ)	Sarbanes
Chu	Kind	Scanlon
Cicilline	Kinzing	Schakowsky
Clark (MA)	Kirkpatrick	Schiff
Clarke (NY)	Krishnamoorthi	Schneider
Cleaver	Kuster	Schradner
Cohen	Lamb	Schrier
Cohen	Langevin	Scott (VA)
Connolly	Larsen (WA)	Scott, David
Cooper	Larson (CT)	Sewell
Correa	Lawrence	Sherman
Costa	Lawson (FL)	Sherrill
Courtney	Lee (CA)	Sires
Craig	Lee (NV)	Slotkin
Crist	Leger Fernandez	Smith (WA)
Crow	Levin (CA)	Soto
Cuellar	Levin (MI)	Spanberger
Davids (KS)	Lieu	Speier
Davis, Danny K.	Lofgren	Stansbury
Dean	Lowenthal	Stanton
DeFazio	Luria	Stevens
DeGette	Lynch	Strickland
DeLauro	Malinowski	Suozi
DelBene	Maloney,	Swalwell
Delgado	Carolyn B.	Takano
Demings	Maloney, Sean	Thompson (CA)
DeSaulnier	Manning	Thompson (MS)
Deutch	Matsui	Titus
Dingell	McBath	Tlaib
Doggett	McCollum	Tonko
Doyle, Michael	McEachin	Torres (CA)
F.	McGovern	Torres (NY)
Escobar	McNerney	Trahan
Eshoo	Meeks	Trone
Espallat	Meng	Underwood
Evans	Mfume	Vargas
Fletcher	Moore (WI)	Veasey
Foster	Morelle	Vela
Frankel, Lois	Moulton	Velázquez
Gallego	Mrvan	Wasserman
Garamendi	Murphy (FL)	Schultz
Garcia (IL)	Nadler	Watson Coleman
Garcia (TX)	Napolitano	Welch
Golden	Neal	Wexton
Gomez	Neguse	Wild
Gonzalez,	Newman	Williams (GA)
Vicente	Norcross	Wilson (FL)
Gottheimer	O'Halleran	Yarmuth

## NAYS—210

Aderholt	Burchett	Ellzey
Allen	Burgess	Emmer
Amodei	Calvert	Estes
Armstrong	Cammack	Fallon
Arrington	Carey	Feenstra
Babin	Carl	Ferguson
Bacon	Carter (GA)	Fischbach
Baird	Carter (TX)	Fitzgerald
Balderson	Cawthorn	Fitzpatrick
Banks	Chabot	Fleischmann
Barr	Cline	Fortenberry
Bentz	Cloud	Foxx
Bergman	Clyde	Franklin, C.
Bice (OK)	Cole	Scott
Biggs	Comer	Fulcher
Bilirakis	Crawford	Gaetz
Bishop (NC)	Crenshaw	Gallagher
Boebert	Curtis	Garbarino
Bost	Davidson	Garcia (CA)
Brady	Davis, Rodney	Gibbs
Brooks	DesJarlais	Gimenez
Buchanan	Diaz-Balart	Gohmert
Buck	Donalds	Gonzales, Tony
Bucshon	Duncan	Gonzalez (OH)
Budd	Dunn	Good (VA)

Gooden (TX)	Long	Rouzer	Jacobs (CA)	McEachin	Sánchez (Costa)	Beyer	Grijalva	Pallone
Gosar	Loudermilk	Roy	(Correa)	(Brown MD))	Schrader	Bishop (GA)	Harder (CA)	Panetta
Granger	Lucas	Rutherford	Jacobs (NY)	Meng (Kuster)	(Correa)	Blumenauer	Hayes	Pappas
Graves (LA)	Luetkemeyer	Salazar	(Garbarino)	Meuser	Sessions (Babin)	Blunt Rochester	Higgins (NY)	Pascarell
Graves (MO)	Mace	Scalise	Jackson (Van	(Reschenthaler)	Sewell (Cicilline)	Bonamici	Himes	Payne
Green (TN)	Malliotakis	Schweikert	Dwyne)	Mfume (Brown	Simpson	Bourdeaux	Horsford	Perlmutter
Greene (GA)	Mann	Scott, Austin	Jayapal (Raskin)	(MD))	(Stewart)	Bowman	Houlihan	Peters
Griffith	Massie	Sessions	Johnson (TX)	Miller (WV) (Van	Sires (Pallone)	Boyle, Brendan	Hoyer	Phillips
Grothman	Mast	Simpson	(Beyer)	Dwyne)	Speier (Scanlon)	F.	Huffman	Pingree
Guest	McCarthy	Smith (MO)	Jones (Craig)	Moore (UT)	Stansbury	Brown (MD)	Jackson Lee	Pocan
Guthrie	McCaull	Smith (NE)	Joyce (OH)	(Stewart)	(Kuster)	Brown (OH)	Jacobs (CA)	Porter
Hagedorn	McClain	Smith (NJ)	(Garbarino)	Nadler (Pallone)	Stefanik	Brownley	Jayapal	Pressley
Harris	McClintock	Smucker	Kahele (Mrvan)	Napolitano	(Reschenthaler)	Bush	Jeffries	Price (NC)
Harshbarger	McHenry	Spartz	Katko (Meijer)	(Correa)	Steube	Bustos	Johnson (GA)	Quigley
Hartzler	McKinley	Staubert	Keller (Joyce	Neal (Beyer)	(Cammack)	Butterfield	Johnson (TX)	Raskin
Hern	Meijer	Staubert	(PA))	Neguse	(Schrickland	Carbajal	Jones	Rice (NY)
Herrell	Meuser	Staubert	Khanna	(Perlmutter)	(Schrier)	Cárdenas	Kahele	Ross
Herrera Beutler	Miller (IL)	Stefanik	(Connolly)	Nehls (Fallon)	Suozi (Kildee)	Carson	Kaptur	Roybal-Allard
Hice (GA)	Miller (WV)	Steil	Kilmer (Kildee)	Newman (Wild)	Swalwell	Carter (LA)	Keating	Ruiz
Hill	Miller-Meeks	Steube	Kim (CA)	Nunes (Garcia	(Gomez)	Cartwright	Kelly (IL)	Ruppersberger
Hinson	Moolenaar	Stewart	(Gonzalez	(CA))	Titus (Connolly)	Case	Khanna	Rush
Hollingsworth	Mooney	Taylor	(OH))	O'Halleran	Tonko (Pallone)	Casten	Kildee	Ryan
Hudson	Moore (AL)	Tenney	Kinzinger	(Stanton)	Torres (NY)	Castor (FL)	Kilmer	Sánchez
Huizenga	Moore (UT)	Thompson (PA)	(Meijer)	Owens (Stewart)	(Cicilline)	Castro (TX)	Kim (NJ)	Sarbanes
Issa	Mullin	Tiffany	Kirkpatrick	Palazzo	Trahan	Chu	Kind	Scanlon
Jackson	Murphy (NC)	Timmons	(Pallone)	(Fleischmann)	(McGovern)	Cicilline	Kirkpatrick	Schakowsky
Jacobs (NY)	Nehls	Turner	Krishnamoorthi	Pascarell	Trone (Brown	Clark (MA)	Krishnamoorthi	Schiff
Johnson (LA)	Newhouse	Upton	(Brown MD))	(Pallone)	(MD))	Clarke (NY)	Kuster	Schneider
Johnson (OH)	Norman	Valadao	Lamborn (Bacon)	Peters (Kildee)	Underwood	Cleaver	Lamb	Schrader
Johnson (SD)	Nunes	Van Drew	Lawson (FL)	Pingree (Kuster)	(Casten)	Clyburn	Langevin	Schrier
Jordan	Obernolte	Van Dwyne	(Evans)	Porter (Aguilar)	Van Drew	Cohen	Larsen (WA)	Scott (VA)
Joyce (OH)	Owens	Wagner	Leger Fernandez	Posey	(Reschenthaler)	Connolly	Larson (CT)	Scott, David
Joyce (PA)	Palazzo	Walberg	(Gallego)	(Cammack)	Vargas (Correa)	Cooper	Lawrence	Sewell
Katko	Palmer	Walorski	Lesko (Joyce	Price (NC)	Velázquez	Correa	Lawson (FL)	Sherman
Keller	Pence	Walorski	(PA))	(Connolly)	Wagner	Costa	Lee (CA)	Sherrill
Kelly (MS)	Perry	Weber (TX)	Long (Banks)	Reed (Rice (SC))	(McHenry)	Courtney	Lee (NV)	Sires
Kelly (PA)	Pfleger	Webster (FL)	Loudermilk	Rodgers (WA)	(Joyce (PA))	Craig	Leger Fernandez	Slotkin
Kim (CA)	Posey	Wenstrup	(Fleischmann)	(Joyce (PA))	(Connolly)	Crist	Levin (CA)	Smith (WA)
Kustoff	Reed	Westerman	Lowenthal	Roybal-Allard	(Connolly)	Crow	Levin (MI)	Soto
LaHood	Reschenthaler	Williams (TX)	(Beyer)	(Connolly)	(Pallone)	Cuellar	Lieu	Spanberger
LaMalfa	Rice (SC)	Wilson (SC)	Luetkemeyer	Ruiz (Aguilar)	(Pallone)	Davids (KS)	Lofgren	Speier
Lamborn	Rodgers (WA)	Wittman	(McHenry)	Ruppersberger	(McGovern)	Davis, Danny K.	Lowenthal	Stansbury
Latta	Rogers (AL)	Womack	Maloney,	(Aguilar)	Wilson (FL)	Dean	Luria	Stanton
LaTurner	Rogers (KY)	Young	Carolyn B.	Rush (Quigley)	(Brown MD))	DeFazio	Lynch	Stevens
Lesko	Rose	Zeldin	(Wasserman	Ryan (Kildee)	Zeldin	DeGette	Malinowski	Strickland
Letlow	Rosendale		Schultz)	Salazar	(Timmons)	DeLauro	Maloney,	Suozi
			Mast (Waltz)	(Cammack)		DelBene	Carolyn B.	Swalwell
						Delgado	Maloney, Sean	Takano
						Demings	Manning	Thompson (CA)
						DeSaulnier	Matsui	Thompson (MS)
						Deutch	McBath	Titus
						Dingell	McCollum	Tlaib
						Doggett	McEachin	Tonko
						Doyle, Michael	McGovern	Torres (CA)
						F.	McNerney	Torres (NY)
						Escobar	Meeks	Trahan
						Eshoo	Meng	Trone
						Espallat	Mfume	Underwood
						Evans	Moore (WI)	Vargas
						Fletcher	Morelle	Veasey
						Foster	Moulton	Vela
						Frankel, Lois	Mrvan	Velázquez
						Gallego	Murphy (FL)	Wasserman
						Garamendi	Nadler	Schultz
						Garcia (IL)	Napolitano	Waters
						Garcia (TX)	Neal	Watson Coleman
						Golden	Neguse	Welch
						Gomez	Newman	Wexton
						Gonzalez,	Norcross	Wild
						Vicente	O'Halleran	Williams (GA)
						Gottheimer	Ocasio-Cortez	Wilson (FL)
						Green, Al (TX)	Omar	Yarmuth

## NOT VOTING—3

Higgins (LA) Ocasio-Cortez Waters

□ 1508

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. OCASIO-CORTEZ. Mr. Speaker, while in a meeting with constituents, I missed the rollcall No. 442 vote. Had I been present, I would have voted “yea” on rollcall No. 442.

## MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Allred (Davids	(CA))	(Correa)
(KS))	Cárdenas	Fletcher
Amodei	(Gomez)	(Raskin)
(Balderson)	Carter (TX)	Frankel, Lois
Armstrong	(Weber (TX))	(Kuster)
(Johnson	Case (Correa)	Garamendi
(SD))	Cawthorn	(Sherman)
Axne (Wild)	(McClain)	Gohmert (Weber
Baird (Bucshon)	Clark (MA)	(TX))
Barragán (Beyer)	(Kuster)	Gonzalez,
Bass (Cicilline)	Cohen (Beyer)	Vicente
Bera (Aguilar)	Crist (Soto)	(Correa)
Bilirakis	Cuellar (Green	Gosar (Boebert)
(Fleischmann)	(TX))	Granger
Blumenauer	Curtis (Stewart)	(Arrington)
(Beyer)	DeFazio (Brown	Green (TN)
Bonamici	(MD))	(Fleischmann)
(Kuster)	DelBene (Larsen	Grijalva
Bowman (Pocan)	(WA))	(Stanton)
Boyle, Brendan	DeGette (Blunt	Guthrie
F. (Evans)	Rochester)	(Bucshon)
Brooks (Moore	DeSaulnier	Hagedorn
(AL))	(Beyer)	(Moolenaar)
Brownley	Diaz-Balart	Hartzler
(Kuster)	(Reschenthaler)	(DesJarlais)
Buchanan	Doggett (Raskin)	Hayes (Wild)
(Waltz)	Donalds (Mann)	Herrera Beutler
Butterfield	Doyle, Michael	(Rice (SC))
(Kildee)	F. (Evans)	Horsford (Carter
Carl (Joyce (PA))	Escobar (Garcia	(LA))
Calvert (Garcia	(TX))	Huffman (Levin
	Espallat	

## MOMENT OF SILENCE IN REMEMBRANCE OF AMERICANS WHO HAVE PASSED AWAY FROM THE COVID-19 VIRUS

The SPEAKER. The Chair asks all Members in the Chamber, as well as Members and staff throughout the Capitol, to rise for a moment of silence in remembrance of the 800,000 Americans who have passed away from the COVID-19 virus. Let us pray that they rest in peace.

## PROVIDING FOR CONSIDERATION OF H.R. 5665, COMBATING INTERNATIONAL ISLAMOPHOBIA ACT

The SPEAKER pro tempore (Mr. JOHNSON of Georgia.) Pursuant to clause 8 of rule XX, the unfinished business is the vote on ordering the previous question on the resolution (H. Res. 849) providing for consideration of the bill (H.R. 5665) to establish in the Department of State the Office to Monitor and Combat Islamophobia, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The vote was taken by electronic device, and there were—yeas 220, nays 210, not voting 3, as follows:

[Roll No. 443]

YEAS—220

Adams	Auchincloss	Bass
Aguilar	Axne	Beatty
Allred	Barragán	Bera

## NAYS—210

Aderholt	Burchett	Dunn
Allen	Burgess	Ellzey
Amodei	Calvert	Emmer
Armstrong	Cammack	Estes
Arrington	Carey	Fallon
Babin	Carl	Feenstra
Bacon	Carter (GA)	Ferguson
Baird	Carter (TX)	Fischbach
Balderson	Cawthorn	Fitzgerald
Banks	Chabot	Fitzpatrick
Barr	Cheney	Fleischmann
Bentz	Cline	Fortenberry
Bergman	Cloud	Fox
Bice (OK)	Clyde	Franklin, C.
Biggs	Cole	Scott
Bilirakis	Comer	Fulcher
Bishop (NC)	Crawford	Gaetz
Boebert	Crenshaw	Gallagher
Bost	Curtis	Garbarino
Brady	Davidson	Garcia (CA)
Brooks	Davis, Rodney	Gibbs
Buchanan	DesJarlais	Gimenez
Buck	Diaz-Balart	Gohmert
Bucshon	Donalds	Gonzales, Tony
Budd	Duncan	Gonzalez (OH)

Good (VA)	Letlow	Rouzer	Lamborn (Bacon)	Nunes (Garcia)	Stansbury	Lynch	Perlmutter	Spanberger
Gooden (TX)	Long	Roy	Lawson (FL)	(CA)	(Kuster)	Malinowski	Peters	Speier
Gosar	Loudermilk	Rutherford	(Evans)	Ocasio-Cortez	Stefanik	Maloney,	Phillips	Stansbury
Granger	Lucas	Salazar	Leger Fernandez	(Bush)	(Reschenthaler)	Carolyn B.	Pingree	Stanton
Graves (LA)	Luetkemeyer	Scalise	(Gallego)	O'Halleran	Steube	Maloney, Sean	Pocan	Stevens
Graves (MO)	Malliotakis	Schweikert	Lesko (Joyce)	(Stanton)	(Cammack)	Manning	Porter	Strickland
Green (TN)	Mann	Scott, Austin	(PA)	Owens (Stewart)	Strickland	Matsui	Pressley	Suoizzi
Greene (GA)	Massie	Sessions	Long (Banks)	Palazzo	(Schrier)	McBath	Price (NC)	Swalwell
Griffith	Mast	Simpson	Loudermilk	(Fleischmann)	Suoizzi (Kildee)	McCollum	Quigley	Takano
Grothman	McCarthy	Smith (MO)	(Fleischmann)	Pascarell	Swalwell	McEachin	Raskin	Thompson (CA)
Guest	McCaul	Smith (NE)	Lowenthal	(Pallone)	(Gomez)	McGovern	Rice (NY)	Thompson (MS)
Guthrie	McClain	(Beyer)	Bentley	Peters (Kildee)	Titus (Connolly)	McNerney	Ross	Titus
Hagedorn	McClintock	Smith (NJ)	Luetkemeyer	Pingree (Kuster)	Tonko (Pallone)	Meeks	Roybal-Allard	Tlaib
Harris	McHenry	Smucker	(McHenry)	Porter (Aguilar)	Torres (NY)	Meng	Ruiz	Tonko
Harshbarger	McKinley	Spartz	Maloney,	Posey	(Cicilline)	Mfume	Ruppersberger	Torres (CA)
Hartzler	Meijer	Stauber	Carolyn B.	(Cammack)	Trahan	Moore (WI)	Rush	Torres (NY)
Hern	Meuser	Steel	(Wasserman)	Price (NC)	(McGovern)	Morelle	Ryan	Trahan
Herrell	Miller (IL)	Stefanik	Schultz	(Connolly)	Trone (Brown)	Moulton	Sánchez	Trone
Herrera Beutler	Miller (WV)	Steil	Mast (Waltz)	Reed (Rice (SC))	(MD))	Mrvan	Sarbanes	Underwood
Hice (GA)	Miller-Meeks	Steube	McEachin	Rodgers (WA)	Underwood	Murphy (FL)	Scanlon	Vargas
Hill	Moolenaar	Stewart	(Brown (MD))	(Joyce (PA))	(Casten)	Nadler	Schakowsky	Veasey
Hinson	Mooney	Taylor	Meng (Kuster)	Roybal-Allard	Van Drew	Napolitano	Schiff	Velázquez
Hollingsworth	Moore (AL)	Tenney	Meuser	(Connolly)	(Reschenthaler)	Neal	Schneider	Wasserman
Huizenga	Moore (UT)	Thompson (PA)	(Reschenthaler)	Ruiz (Aguilar)	Vargas (Correa)	Neguse	Schrader	Schultz
Issa	Mullin	Tiffany	Mfume (Brown	Ruppersberger	Velázquez	Newman	Schrier	Waters
Jackson	Murphy (NC)	Timmons	(MD))	(Aguilar)	(Clarke (NY))	Norcross	Scott (VA)	Watson Coleman
Jacobs (NY)	Nehls	Turner	Miller (WV) (Van	Rush (Quigley)	Wagner	O'Halleran	Scott, David	Welch
Johnson (LA)	Newhouse	Upton	Duynne	Salazar	(McHenry)	Ocasio-Cortez	Sewell	Wexton
Johnson (OH)	Norman	Valadao	Moore (UT)	(Cammack)	Walorski (Banks)	Omar	Sherman	Wild
Johnson (SD)	Nunes	Van Drew	(Stewart)	Sánchez (Costa)	Watson Coleman	Pallone	Sherrill	Williams (GA)
Jordan	Obornolte	Van Duynne	Nadler (Pallone)	Schrader	(Pallone)	Panetta	Sires	Wilson (FL)
Joyce (OH)	Owens	Wagner	(Correa)	(Correa)	Welch	Pappas	Slotkin	Yarmuth
Joyce (PA)	Palazzo	Walberg	Neal (Beyer)	Sessions (Babin)	(McGovern)	Pascarell	Smith (WA)	
Katko	Palmer	Walorski	Neguse	Sewell (Cicilline)	Wilson (FL)	Payne	Soto	
Keller	Pence	Waltz	(Perlmutter)	Simpson	(Brown (MD))			
Kelly (MS)	Perry	Weber (TX)	Nehls (Fallon)	(Stewart)	Zeldin			
Kelly (PA)	Pfuger	Webster (FL)	Newman (Wild)	Sires (Pallone)	(Timmons)			
Kim (CA)	Posey	Wenstrup		Speier (Scanlon)				
Kinzing	Reed	Westerman						
Kustoff	Reschenthaler	Williams (TX)						
LaHood	Rice (SC)	Wilson (SC)						
LaMalfa	Rodgers (WA)	Wittman						
Lamborn	Rogers (AL)	Womack						
Latta	Rogers (KY)	Young						
LaTurner	Rose	Zeldin						
Lesko	Rosendale							

## NOT VOTING—3

Higgins (LA) Hudson Mace

□ 1537

So the previous question was ordered.  
The result of the vote was announced  
as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE  
RESOLUTION 8, 117TH CONGRESS

Allred (Davids)	Crist (Soto)	Guthrie	Adams	Cooper	Hayes	Aderholt	Franklin, C.	Lucas
(KS)	Cuellar (Green	(Buchson)	Aguilar	Correa	Higgins (NY)	Allen	Scott	Luetkemeyer
Amodei	(TX))	Hagedorn	Allred	Costa	Himes	Amodei	Fulcher	Mace
(Balderson)	Curtis (Stewart)	(Moolenaar)	Auchincloss	Courtney	Horsford	Armstrong	Gaetz	Malliotakis
Armstrong	DeFazio (Brown	Hartzler	Axne	Craig	Houlahan	Arrington	Gallagher	Mann
(Johnson (SD))	(MD))	(DesJarlais)	Barragán	Crist	Hoyer	Babin	Garbarino	Massie
Axne (Wild)	DelBene (Larsen	Hayes (Wild)	Bass	Crow	Huffman	Bacon	Garcia (CA)	Mast
Baird (Bucshon)	(WA))	Herrera Beutler	Beatty	Cuellar	Jackson Lee	Baird	Gibbs	McCarthy
Barragán (Beyer)	DeGette (Blunt	(Rice (SC))	Bera	Davids (KS)	Jacobs (CA)	Balderson	Gimenez	McCaul
Bass (Cicilline)	Rochester)	Horsford (Carter	Beyer	Davis, Danny K.	Jayapal	Banks	Gohmert	McClain
Bera (Aguilar)	DeSaulnier	(LA))	Bishop (GA)	Dean	Jeffries	Barr	Gonzales, Tony	McClintock
Billirakis	(Beyer)	Huffman (Levin	Blumenauer	DeFazio	Johnson (GA)	Bentz	Gonzalez (OH)	McHenry
(Fleischmann)	Diaz-Balart	(CA))	Blunt Rochester	DeGette	Johnson (TX)	Bergman	Good (VA)	McKinley
Blumenauer	(Reschenthaler)	Jacobs (CA)	Bonamici	DeLauro	Jones	Bice (OK)	Gooden (TX)	Meijer
(Beyer)	Doggett (Raskin)	(Correa)	Bourdeaux	DelBene	Kahale	Biggs	Gosar	Meuser
Bonamici	Donalds (Mann)	Jacobs (NY)	Bowman	Delgado	Kaptur	Billirakis	Gottheimer	Miller (IL)
(Kuster)	Doyle, Michael	(Garbarino)	Boyle, Brendan	Demings	Keating	Bishop (NC)	Granger	Miller (WV)
Bowman (Pocan)	F. (Evans)	Jackson (Van	F.	DeSaulnier	Kelly (IL)	Boebert	Graves (LA)	Miller-Meeks
Boyle, Brendan	Escobar (Garcia	Duynne)	Brown (MD)	Deutch	Khanna	Bost	Graves (MO)	Moolenaar
F. (Evans)	(TX))	Jayapal (Raskin)	Brown (OH)	Dingell	Kildee	Brady	Green (TN)	Mooney
Brooks (Moore	Españillat	Johnson (TX)	Brownley	Doggett	Kilmer	Brooks	Greene (GA)	Moore (AL)
(AL))	(Correa)	(Beyer)	Bush	Doyle, Michael	Kim (NJ)	Buchanan	Griffith	Moore (UT)
Brownley	Fletcher	Jones (Craig)	Bustos	F.	Kind	Buck	Grothman	Mullin
(Kuster)	(Raskin)	Joyce (OH)	Butterfield	Escobar	Kirkpatrick	Bucshon	Guest	Murphy (NC)
Buchanan	(Raskin)	(Garbarino)	Carbajal	Eshoo	Krishnamoorthi	Budd	Guthrie	Nehls
(Waltz)	Frankel, Lois	Kahele (Mrvan)	Cárdenas	Kuster	Kuster	Burchett	Hagedorn	Newhouse
Butterfield	(Kuster)	Katko (Meijer)	Carden	Evans	Lamb	Burgess	Harris	Norman
(Kildee)	Garamendi	Keller (Joyce	Carter (LA)	Fletcher	Langevin	Calvert	Harshbarger	Nunes
Carl (Joyce (PA))	(Sherman)	(PA))	Cartwright	Foster	Larsen (WA)	Cammack	Hartzler	Obornolte
Calvert (Garcia	Gohmert (Weber	Khanna	Case	Frankel, Lois	Larson (CT)	Carey	Hern	Owens
(CA))	(TX))	(Connolly)	Casten	Gallego	Lawrence	Carl	Herrell	Palazzo
Cárdenas	Gonzalez,	Kilmer (Kildee)	Castor (FL)	Garamendi	(FL)	Carter (GA)	Herrera Beutler	Palmer
(Gomez)	Vicente	Kim (CA)	Castro (TX)	Garcia (IL)	Lee (CA)	Carter (TX)	Hice (GA)	Pence
Carter (TX)	(Correa)	(Gonzalez	Chu	Garcia (TX)	Lee (NV)	Cawthorn	Hill	Perry
(Weber (TX))	Gosar (Boebert)	(OH))	Cicilline	Golden	Lofgren	Chabot	Hinson	Pfuger
Case (Correa)	Granger	Kinzing	Clark (MA)	Gomez	Lewin (CA)	Cheney	Hollingsworth	Posey
Cawthorn	(Arrington)	(Meijer)	Clarke (NY)	Gonzalez,	Lieu	Cline	Hudson	Reed
(McClain)	Green (TN)	Kirkpatrick	Cleaver	Vicente	Lowenthal	Cloud	Huizenga	Reschenthaler
Clark (MA)	(Fleischmann)	(Pallone)	Clyburn	Green, Al (TX)	Luria	Clyde	Issa	Rice (SC)
(Kuster)	Grijalva	Krishnamoorthi	Cohen	Grijalva	Harder (CA)	Cole	Jackson	Rodgers (WA)
Cohen (Beyer)	(Stanton)	(Brown (MD))	Connolly	Harder (CA)		Comer	Jacobs (NY)	Rogers (AL)
						Crawford	Johnson (LA)	Rogers (KY)
						Crenshaw	Johnson (OH)	Rose
						Curtis	Johnson (SD)	Rosendale
						Davidson	Jordan	Rouzer
						Davis, Rodney	Joyce (OH)	Roy
						DesJarlais	Joyce (PA)	Rutherford
						Diaz-Balart	Katko	Salazar
						Donalds	Keller	Scalise
						Duncan	Kelly (MS)	Schweikert
						Dunn	Kelly (PA)	Scott, Austin
						Ellzey	Kim (CA)	Sessions
						Emmer	Kinzing	Simpson
						Estes	Kustoff	Smith (MO)
						Fallon	LaHood	Smith (NE)
						Feenstra	LaMalfa	Smith (NJ)
						Ferguson	Lamborn	Smucker
						Fischbach	Latta	Spartz
						Fitzgerald	LaTurner	Stauber
						Fitzpatrick	Lesko	Steel
						Fleischmann	Letlow	Stefanik
						Fortenberry	Long	Steil
						Fox	Loudermilk	Steube

Stewart  
Taylor  
Tenneny  
Thompson (PA)  
Tiffany  
Timmons  
Turner  
Upton  
Valadao

Van Drew  
Van Duyn  
Wagner  
Walberg  
Walorski  
Waltz  
Weber (TX)  
Webster (FL)  
Wenstrup

Westerman  
Williams (TX)  
Wilson (SC)  
Wittman  
Womack  
Young  
Zeldin

Underwood  
(Casten)  
Van Drew  
(Reschenthaler)  
Vargas (Correa)  
Velázquez  
(Clarke (NY))

Wagner  
(McHenry)  
Walorski (Banks)  
Watson Coleman  
(Pallone)  
Welch  
(McGovern)

Wilson (FL)  
(Brown (MD))  
Zeldin  
(Timmons)

## NOT VOTING—1

Higgins (LA)

□ 1608

Mr. GOTTHEIMER changed his vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE  
RESOLUTION 8, 117TH CONGRESS

Allred (Davids  
(KS))  
Amodel  
(Balderson)  
Armstrong  
(Johnson (SD))  
Axne (Wild)  
Baird (Bucshon)  
Barragan (Beyer)  
Bass (Cicilline)  
Bera (Aguilar)  
Bilirakis  
(Fleischmann)  
Blumenauer  
(Beyer)  
Bonamici  
(Kuster)  
Bowman (Pocan)  
Boyle, Brendan  
F. (Evans)  
Brooks (Moore  
(AL))  
Brownley  
(Kuster)  
Buchanan  
(Waltz)  
Butterfield  
(Kildee)  
Carl (Joyce (PA))  
Calvert (Garcia  
(CA))  
Cárdenas  
(Gomez)  
Carter (TX)  
(Weber (TX))  
Case (Correa)  
Cawthorn  
(McClain)  
Clark (MA)  
(Kuster)  
Cohen (Beyer)  
Crist (Soto)  
Cuellar (Green  
(TX))  
Curtis (Stewart)  
DeFazio (Brown  
(MD))  
DelBene (Larsen  
(WA))  
DeGette (Blunt  
Rochester)  
DeSaulnier  
(Beyer)  
Diaz-Balart  
(Reschenthaler)  
Doggett (Raskin)  
Donalds (Mann)  
Doyle, Michael  
F. (Evans)  
Escobar (Garcia  
(TX))  
Espallat  
(Correa)  
Fletcher  
(Raskin)  
Frankel, Lois  
(Kuster)  
Garamendi  
(Sherman)  
Gohmert (Weber  
(TX))

Gonzalez,  
Vicente  
(Correa)  
Gosar (Boebert)  
Granger  
(Arrington)  
Green (TN)  
(Fleischmann)  
Grijalva  
(Stanton)  
Guthrie  
(Bucshon)  
Hagedorn  
(Moolenaar)  
Hartzler  
(DesJarlais)  
Hayes (Wild)  
Herrera Beutler  
(Rice (SC))  
Horsford (Carter  
(LA))  
Huffman (Levin  
(CA))  
Jacobs (CA)  
(Correa)  
Jacobs (NY)  
(Garbarino)  
Jackson (Van  
Duyn)  
Jayapal (Raskin)  
Johnson (TX)  
(Beyer)  
Jones (Craig)  
Joyce (OH)  
(Garbarino)  
Kahele (Mrvan)  
Katko (Meijer)  
Keller (Joyce  
(PA))  
Khanna  
(Connolly)  
Kilmer (Kildee)  
Kim (CA)  
(Gonzalez  
(OH))  
Kinzinger  
(Meijer)  
Kirkpatrick  
(Pallone)  
Krishnamoorthi  
(Brown (MD))  
Lamborn (Bacon)  
Lawson (FL)  
(Evans)  
Leger Fernandez  
(Gallego)  
Lesko (Joyce  
(PA))  
Long (Banks)  
Loudermilk  
(Fleischmann)  
Lowenthal  
(Beyer)  
Luetkemeyer  
(McHenry)  
Maloney,  
Carolyn B.  
(Wasserman  
Schultz)  
Mast (Waltz)  
McEachin  
(Brown (MD))  
Meng (Kuster)

Meuser  
(Reschenthaler)  
Mfume (Brown  
(MD))  
Miller (WV) (Van  
Duyn)  
Moore (UT)  
(Stewart)  
Nadler (Pallone)  
Napolitano  
(Correa)  
Neal (Beyer)  
Neguse  
(Perlmutter)  
Nehls (Fallon)  
Newman (Wild)  
Nunes (Garcia  
(CA))  
Ocasio-Cortez  
(Bush)  
O'Halleran  
(Stanton)  
Owens (Stewart)  
Palazzo  
(Fleischmann)  
Pascrell  
(Pallone)  
Peters (Kildee)  
Pingree (Kuster)  
Porter (Aguilar)  
Posey  
(Cammack)  
Price (NC)  
(Connolly)  
Reed (Rice (SC))  
Rodgers (WA)  
(Joyce (PA))  
Roybal-Allard  
(Connolly)  
Ruiz (Aguilar)  
Ruppersberger  
(Aguilar)  
Rush (Quigley)  
Salazar  
(Cammack)  
Sánchez (Costa)  
Schrader  
(Correa)  
Sessions (Babin)  
Sewell (Cicilline)  
Simpson  
(Stewart)  
Sires (Pallone)  
Speier (Scanlon)  
Stansbury  
(Kuster)  
Stefanik  
(Reschenthaler)  
Steube  
(Cammack)  
Strickland  
(Schrier)  
Suozi (Kildee)  
Swalwell  
(Gomez)  
Titus (Connolly)  
Tonko (Pallone)  
Torres (NY)  
(Cicilline)  
Trahan  
(McGovern)  
Trone (Brown  
(MD))

RECOMMENDING THAT THE HOUSE  
FIND MARK RANDALL MEADOWS  
IN CONTEMPT OF CONGRESS

Mr. THOMPSON of Mississippi. Madam Speaker, by direction of the Select Committee to Investigate the January 6th Attack on the United States Capitol, I call up the report (H. Rept. 117-216) and accompanying resolution recommending that the House of Representatives find Mark Randall Meadows in contempt of Congress for refusal to comply with a subpoena duly issued by the Select Committee to Investigate the January 6th Attack on the United States Capitol.

The Clerk read the title of the report. The SPEAKER pro tempore (Ms. McCOLLUM). Pursuant to House Resolution 848, the report is considered read. The text of the report is as follows:

The Select Committee to Investigate the January 6th Attack on the United States Capitol, having considered this Report, reports favorably thereon and recommends that the Report be approved.

The form of the Resolution that the Select Committee to Investigate the January 6th Attack on the United States Capitol would recommend to the House of Representatives for citing Mark Randall Meadows for contempt of Congress pursuant to this Report is as follows:

*Resolved*, That Mark Randall Meadows shall be found to be in contempt of Congress for failure to comply with a congressional subpoena.

*Resolved*, That pursuant to 2 U.S.C. §§ 192 and 194, the Speaker of the House of Representatives shall certify the report of the Select Committee to Investigate the January 6th Attack on the United States Capitol, detailing the refusal of Mark Randall Meadows to appear for a deposition before the Select Committee to Investigate the January 6th Attack on the United States Capitol as directed by subpoena, to the United States Attorney for the District of Columbia, to the end that Mr. Meadows be proceeded against in the manner and form provided by law.

*Resolved*, That the Speaker of the House shall otherwise take all appropriate action to enforce the subpoena.

## PURPOSE AND SUMMARY

On January 6, 2021, a violent mob breached the security perimeter of the United States Capitol, assaulted and injured scores of police officers, engaged in hand-to-hand violence with those officers over an extended period, terrorized Members of Congress and staff, and invaded and occupied the Capitol building, all in an effort to halt the lawful counting of electoral votes and reverse the results of the 2020 election. In the words of many of those who participated in the violence, the attack was a direct response to statements by then-President Donald J. Trump—beginning on election night 2020 and continuing through January 6, 2021—that the 2020 election had been stolen by corrupted voting machines, widespread fraud, and otherwise.

In response, the House adopted House Resolution 503 on June 30, 2021, establishing the Select Committee to Investigate the January 6th Attack on the United States Capitol

(hereinafter referred to as the “Select Committee”).

The Select Committee is investigating the facts, circumstances, and causes of the January 6th attack and issues relating to the peaceful transfer of power, in order to identify how the events of January 6th were planned, what actions and statements motivated and contributed to the attack on the Capitol, how the violent riot that day was coordinated with a political and public relations strategy to reverse the election outcome, and why Capitol security was insufficient to address what occurred. The Select Committee will evaluate all facets of these issues, create a public record of what occurred, and recommend to the House, and its relevant committees, corrective laws, policies, procedures, rules, or regulations.

According to documents and testimony obtained by the Select Committee, Mark Randall Meadows is uniquely situated to provide critical information about the events of January 6, 2021, as well as efforts taken by public officials and private individuals to spread the message of widespread fraud in the November 2020 election and to delay or prevent the peaceful transfer of power. Mr. Meadows served as chief of staff to President Trump during the final year of the Trump administration. As detailed in public reporting, Mr. Meadows was with or in the vicinity of then-President Trump on January 6 as Mr. Trump learned about the attack on the U.S. Capitol and decided whether to issue a statement that could help to stop the rioters.

Mr. Meadows has refused to provide the Select Committee with information and testimony that has no conceivable, associated privilege claims. To complete its investigation, the Select Committee needs access to testimony on this non-privileged information. The Select Committee offers here just several examples: Mr. Meadows has refused to provide testimony on the documents he himself produced to the Select Committee without any claim of privilege; Mr. Meadows has refused to provide testimony about his reported communications with organizers of various protest events before January 6, 2021; Mr. Meadows personally travelled to Georgia to inspect a county audit related to the presidential election, but the Select Committee has not been able to obtain testimony from Mr. Meadows about these events; and Mr. Meadows has also denied the Select Committee the opportunity to question him about a call with Georgia State officials in which Mr. Trump insisted that he had won Georgia and told the Georgia secretary of state that he wanted to “find” enough votes to ensure his victory. Yet another topic on which Mr. Meadows has frustrated the Select Committee’s investigative efforts relates to the Select Committee’s attempt to locate and discover highly relevant documents. Based on Mr. Meadows’s production of documents and recently reported information, it appears that Mr. Meadows may not have complied with legal requirements to retain or archive documents under the Presidential Records Act. He has denied the Select Committee the opportunity to question him about these circumstances so that the Select Committee can fully understand the location of highly relevant materials to its investigation and which materials may now be lost to the historical record.

To be clear, Mr. Meadows’s failure to comply, and this contempt recommendation, are not based on good-faith disagreements over privilege assertions. Rather, Mr. Meadows has failed to comply and warrants contempt findings because he has wholly refused to appear to provide any testimony and refused to answer questions regarding even clearly non-privileged information—information that he himself has identified as non-privileged through his own document production.

Mr. Meadows's relevant documents and testimony are necessary to the Select Committee's investigation for many additional reasons. Mr. Meadows also reportedly participated in meetings and communicated with senior Department of Justice (DOJ) officials about unsupported election-fraud claims and litigation aimed at disrupting or overturning the election results. Mr. Meadows reportedly participated in a contentious meeting at the White House with private individuals and others linked to Mr. Trump's re-election campaign during which Mr. Trump and others discussed seizing voting machines and invoking certain laws including the National Emergencies Act for election-related purposes because of purported fraud in the election. Mr. Meadows reportedly joined a January 2 call with Mr. Trump and State and Federal officials to discuss overturning certain States' electoral college results on January 6, and later sent the former Vice President's staff a memo drafted by a Trump campaign lawyer urging the Vice President to delay or decline the counting of votes from certain States. Mr. Meadows was also reportedly in contact with at least one of the individuals who planned and organized a January 6 rally, one of whom may have expressed safety concerns to Mr. Meadows about the event. In short, Mr. Meadows appears to have participated in, and been a witness to, critically important communications and events that took place before and on January 6, and the Congress is entitled to hear his first-hand testimony regarding his actions and knowledge. The Select Committee expects such testimony to be directly relevant to its report and recommendations for legislative and other action.

On September 23, 2021, the Select Committee issued a subpoena to Mr. Meadows for documents and testimony, and transmitted it along with a cover letter and schedule to Mr. Meadows's then-counsel, who accepted service on Mr. Meadows's behalf on that same day. The subpoena required that Mr. Meadows produce responsive documents by October 7, 2021, and that Mr. Meadows appear for a deposition on October 15, 2021. After Mr. Meadows retained separate counsel, the Select Committee agreed to postpone the subpoena deadlines to enable his counsel to understand the requests associated with the subpoena and work with Mr. Meadows. Ultimately, by letter dated October 25, 2021, the Select Committee accommodated Mr. Meadows's interest in moving back the date of his appearance and document production and instructed Mr. Meadows to produce documents by November 5, 2021, and appear for a deposition on November 12, 2021.

Mr. Meadows's resistance came after the Select Committee agreed to that postponement, after the Select Committee identified specific subject matters for inquiry that did not implicate any privilege, and after inviting Mr. Meadows to explain with specificity his position as to whether any of those areas would trigger any claims of executive privilege. Mr. Meadows provided no such explanation. Instead, he declined to produce a single document. He refused to carry out the commonly accepted practice of producing a privilege log in response to the Select Committee's subpoena. And he failed to appear at the scheduled deposition, as ordered by the lawful subpoena.

A week after Mr. Meadows failed to appear for his deposition and 2 weeks after his deadline to produce documents, Mr. Meadows reengaged with the Select Committee by letter. The Select Committee gave Mr. Meadows an opportunity to cure his previous non-compliance with the Select Committee's subpoena by asking that he produce documents and appear at a deposition that, ultimately, was scheduled for December 8, 2021. Through

counsel, Mr. Meadows agreed. Mr. Meadows produced a large number of responsive documents that were not subject to any claim of privilege, while withholding many others. But the day before his deposition, Mr. Meadows changed course once more and told the Select Committee that he would not be attending his deposition after all, even to answer questions about the documents that he agrees are relevant and non-privileged that he had just produced. He did this even though that very same day his book was released in which he recounts specific conversations that he had with former-President Trump, including conversations about whether the former President planned to join a march to the United States Capitol on January 6 after encouraging rally-goers to do so. On December 8, 2021, Mr. Meadows failed to appear for his deposition.

Although Mr. Meadows's counsel has referenced claims of testimonial immunity and executive privilege purportedly relayed by Mr. Trump's counsel, no such claims have been presented by Mr. Trump to the Select Committee. Moreover, the current White House has informed Mr. Meadows that the incumbent President is *not* asserting claims of testimonial immunity or executive privilege to prevent Mr. Meadows from complying with the Select Committee's subpoena.

The Select Committee is confident that there is no conceivable immunity or executive privilege claim that could bar *all* of the Select Committee's requests or justify Mr. Meadows's blanket refusal to appear for the required deposition. Indeed, the Chairman's written responses on October 25, 2021, November 5, 2021, and November 11, 2021, addressed the legal arguments raised by Mr. Meadows's counsel and made clear that the Select Committee expected—as the law demands—that Mr. Meadows produce documents and appear before the Select Committee at his deposition to raise any privilege or other concerns regarding specific questions on the record of that proceeding.

The contempt of Congress statute, 2 U.S.C. § 192, provides that a witness summoned before Congress must appear or be “deemed guilty of a misdemeanor” punishable by a fine of up to \$100,000 and imprisonment for up to 1 year. Further, the Supreme Court in *United States v. Bryan* (1950) emphasized that the subpoena power is a “public duty, which every person within the jurisdiction of the Government is bound to perform when properly summoned.” The Supreme Court recently reinforced this clear obligation by stating that “[w]hen Congress seeks information needed for intelligent legislative action, it unquestionably remains the duty of all citizens to cooperate.”

Mr. Meadows did not produce documents as required by the subpoena's October 7, 2021, deadline or the extended deadline of November 5, 2021. Similarly, Mr. Meadows did not appear for a deposition scheduled for October 15, 2021, or the extended deadline of November 12, 2021, as ordered by the subpoena and in contravention of the clear instructions by the Select Committee Chairman's letters dated October 25, 2021, November 5, 2021, November 9, 2021, and November 11, 2021, to appear at the deposition and raise any privilege concerns in response to specific questions on the record. Furthermore, Mr. Meadows chose not to appear before the Select Committee on December 8, 2021, to cure his previous non-compliance and after specifically agreeing to do so. Mr. Meadows's refusal to comply with the Select Committee's subpoena constitutes willful default under the law and warrants contempt of Congress and referral to the United States Attorney for the District of Columbia for prosecution as prescribed by law. The denial of the information sought by the subpoena impairs Congress's

central powers under the United States Constitution.

#### BACKGROUND ON THE SELECT COMMITTEE'S INVESTIGATION

House Resolution 503 sets out the specific purposes of the Select Committee, including:

- To investigate and report upon the facts, circumstances, and causes “relating to the January 6, 2021, domestic terrorist attack upon the United States Capitol Complex”;
- To investigate and report upon the facts, circumstances, and causes “relating to the interference with the peaceful transfer of power”; and
- To investigate and report upon the facts, circumstances, and causes relating to “the influencing factors that fomented such an attack on American representative democracy while engaged in a constitutional process.”

The Supreme Court has long recognized Congress's oversight role. “The power of the Congress to conduct investigations is inherent in the legislative process.” Indeed, Congress's ability to enforce its investigatory power “is an essential and appropriate auxiliary to the legislative function.” “Absent such a power, a legislative body could not ‘wisely or effectively’ evaluate those conditions ‘which the legislation is intended to affect or change.’”

The oversight powers of House and Senate committees are also codified in law. For example, the Legislative Reorganization Act of 1946 directed committees to “exercise continuous watchfulness” over the executive branch's implementation of programs within its jurisdictions, and the Legislative Reorganization Act of 1970 authorized committees to “review and study, on a continuing basis, the application, administration, and execution” of laws.

The Select Committee was properly constituted under section 2(a) of House Resolution 503, 117th Congress. As required by that resolution, Members of the Select Committee were selected by the Speaker, after “consultation with the minority leader.” A bipartisan selection of Members was appointed pursuant to House Resolution 503 on July 1, 2021, and July 26, 2021.

Pursuant to House rule XI and House Resolution 503, the Select Committee is authorized “to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of books, records, correspondence, memoranda, papers, and documents as it considers necessary.” That same House rule expressly allows House committees to compel information from the President and his aides. Further, section 5(c)(4) of House Resolution 503 provides that the Chairman of the Select Committee may “authorize and issue subpoenas pursuant to clause 2(m) of rule XI in the investigation and study” conducted pursuant to the enumerated purposes and functions of the Select Committee. The Select Committee's authorizing resolution further states that the Chairman “may order the taking of depositions, including pursuant to subpoena, by a Member or counsel of the Select Committee, in the same manner as a standing committee pursuant to section 3(b)(1) of House Resolution 8, One Hundred Seventeenth Congress.” The subpoena to Mr. Meadows was duly issued pursuant to section 5(c)(4) of House Resolution 503 and clause 2(m) of rule XI of the Rules of the House of Representatives.

*A. The Select Committee seeks information from Mr. Meadows central to its investigative purposes.*

The Select Committee seeks information from Mr. Meadows central to its investigative responsibilities delegated to it from the House of Representatives. This includes the

obligation to investigate and report on the facts, circumstances, and causes of the attack on January 6, 2021, and on the facts, circumstances, and causes “relating to the interference with the peaceful transfer of power.”

The events of January 6, 2021, involved both a physical assault on the Capitol building and law enforcement personnel protecting it and an attack on the constitutional process central to the peaceful transfer of power following a presidential election. The counting of electoral college votes by Congress is a component of that transfer of power that occurs every January 6 following a presidential election. This event is part of a complex process, mediated through the free and fair elections held in jurisdictions throughout the country, and through the statutory and constitutional processes set up to confirm and validate the results. In the case of the 2020 presidential election, the January 6 electoral college vote count occurred following a series of efforts in the preceding weeks by Mr. Trump and his supporters to challenge the legitimacy of, disrupt, delay, and overturn the election results.

According to eyewitness accounts as well as the statements of participants in the attack on January 6, 2021, a purpose of the assault was to stop the process of validating what then-President Trump, his supporters, and his allies had falsely characterized as a “stolen” or “fraudulent” election. The claims regarding the 2020 election results were advanced and amplified in the weeks leading up to the January 6 assault, even after courts across the country had resoundingly rejected Trump campaign lawsuits claiming election fraud and misconduct, and after all States had certified the election results. As part of this effort, Mr. Trump and his associates spread false information about, and cast doubts on, the elections in Arizona, Pennsylvania, Michigan, and Georgia, among other states, and pressed Federal, State, and local officials to use their authorities to challenge the election results.

To fulfill its investigative responsibilities, the Select Committee needs to understand the events and communications in which Mr. Meadows reportedly participated or that he observed.

Mr. Meadows was one of a relatively small group of people who witnessed the events of January 6 in the White House and with then-President Trump. Mr. Meadows was with or in the vicinity of then-President Trump on January 6 as he learned about the attack on the U.S. Capitol and decided whether to issue a statement that could stop the rioters. In fact, as the violence at the Capitol unfolded, Mr. Meadows received many messages encouraging him to have Mr. Trump issue a statement that could end the violence, and one former White House employee reportedly contacted Mr. Meadows several times and told him, “[y]ou guys have to say something. Even if the president’s not willing to put out a statement, you should go to the [cameras] and say, ‘We condemn this. Please stand down.’ If you don’t, people are going to die.”

Moreover, Mr. Meadows reportedly spoke with Kashyap Patel, who was then the chief of staff to former Acting Secretary of Defense Christopher Miller, “nonstop” throughout the day of January 6. And, among other things, Mr. Meadows apparently knows if and when Mr. Trump was engaged in discussions regarding the National Guard’s response to the Capitol riot, a point that is contested but about which Mr. Meadows provided documents to the Select Committee and spoke publicly on national television after President Trump left office.

Beyond those matters, the Select Committee seeks information from Mr. Meadows about issues including the following:

- Mr. Meadows exchanged text messages with, and provided guidance to, an organizer of the January 6th rally on the Ellipse after the organizer told him that “[t]hings have gotten crazy and I desperately need some direction. Please.”

- Mr. Meadows sent an email to an individual about the events on January 6 and said that the National Guard would be present to “protect pro Trump people” and that many more would be available on standby.

- Mr. Meadows received text messages and emails regarding apparent efforts to encourage Republican legislators in certain States to send alternate slates of electors to Congress, a plan which one Member of Congress acknowledged was “highly controversial” and to which Mr. Meadows responded, “I love it.” Mr. Meadows responded to a similar message by saying “[w]e are” and another such message by saying “Yes. Have a team on it.”

- Mr. Meadows forwarded claims of election fraud to the acting leadership of DOJ for further investigation, some of which he may have received using a private email account and at least one of which he had received directly from people associated with Mr. Trump’s re-election campaign.

- He also reportedly introduced Mr. Trump to then-DOJ official Jeffrey Clark. Mr. Clark went on to recommend to Mr. Trump that he be installed as Acting Attorney General and that DOJ should send a letter to State officials urging them to take certain actions that could affect the outcome of the November 2020 election by, among other things, appointing alternate slates of electors to cast electoral votes for Mr. Trump rather than now-President Biden.

- Mr. Meadows participated in meetings and calls during which the participants reportedly discussed the need to “fight” back against “mounting evidence” of purported voter fraud after courts had considered and overwhelmingly rejected Trump campaign claims of voter fraud and other election irregularities. He participated in one such meeting in the Oval Office with Mr. Trump and Members of Congress, which he publicly tweeted about from his personal Twitter account shortly after. He participated in another such call just days before the January 6 attack with Mr. Trump, Members of Congress, attorneys for the Trump re-election campaign, and “some 300” State and local officials to discuss the goal of overturning certain States’ electoral college results on January 6, 2021.

- Mr. Meadows traveled to Georgia to observe an audit of the votes days after then-President Trump complained that the audit had been moving too slowly and claimed that the signature-match system was rife with fraud. That trip precipitated Mr. Trump’s calls to Georgia’s deputy secretary of state and, later, secretary of state. In the call with Georgia’s secretary of state, which Mr. Meadows and an attorney working with the campaign also joined, Mr. Trump pressed his unsupported claims of widespread election fraud, including claims related to deceased people voting, forged signatures, out-of-State voters, shredded ballots, triple-counted ballots, Dominion voting machines, and suitcase ballots, before telling the secretary of state that he wanted to find enough votes to ensure his victory. At one point during the call, Mr. Meadows asked “in the spirit of cooperation and compromise, is there something that we can at least have a discussion to look at some of these allegations to find a path forward that’s less litigious?” At that point, Mr. Trump had filed two lawsuits in his personal capacity and on behalf of the campaign in Georgia, but the United States had not filed—and never did file—any. Mr.

Meadows used a personal account in his attempts to reach the secretary of state before.

- Mr. Meadows was chief of staff during the post-election period when other White House staff, including the press secretary, advanced claims of election fraud. In one press conference, the press secretary claimed that there were “very real claims” of fraud that the Trump re-election campaign was pursuing and said that mail-in voting was one that “we have identified as being particularly prone to fraud.”

- Mr. Meadows participated in a meeting that reportedly occurred on December 18, 2020, with Mr. Trump, the White House counsel, an attorney associated with the campaign, White House staff, and private citizens, on proposals relating to challenging the 2020 election results. During the meeting, the participants reportedly discussed purported foreign interference in the election, seizing voting machines, invoking certain Federal laws like the National Emergencies Act, and appointing one of the attendees as a special counsel with a Top Secret security clearance to investigate fraud in the election. White House officials, including Mr. Meadows, may have resisted some of the proposals, but, at one point, Mr. Trump reportedly said: “You [White House] guys are offering me nothing. These guys are at least offering me a chance. They’re saying they have the evidence. Why not try this?”

- Mr. Meadows reportedly sent an email—subject line: “Constitutional Analysis of the Vice President’s Authority for January 6, 2021, Vote Count”—to a member of then-Vice President Pence’s senior staff containing a memo written by an attorney affiliated with Mr. Trump’s re-election campaign. The memo argued that the Vice President could declare electoral votes in six States in dispute when they came up for a vote during the Joint Session of Congress on January 6, 2021, which would require those States’ legislatures to send a response to Congress by 7 p.m. EST on January 15 or, if they did not, then congressional delegations would vote for Mr. Trump’s re-election.

- Mr. Meadows was in contact with at least some of the private individuals who planned and organized a January 6 rally, one of whom reportedly may have expressed safety concerns to Mr. Meadows about January 6 events. Mr. Meadows used his personal cell phone to discuss the rally in the days leading up to January 6.

- Mr. Meadows described in his book, *The Chief’s Chief*, specific conversations that he had with Mr. Trump while he was the President about, among other things, fraud in the election and the January 6th attack on the United States Capitol. In one passage about the election, Mr. Meadows quotes Mr. Trump. In another passage about January 6, Mr. Meadows describes a conversation he had with Mr. Trump after Mr. Trump spoke to rally goers and, presumably, just after the attack on the Capitol had started.

It is apparent that Mr. Meadows’s testimony and document production are of critical importance to the Select Committee’s investigation. Congress, through the Select Committee, is entitled to discover facts concerning what led to the attack on the U.S. Capitol on January 6, as well as White House officials’ actions and communications during and after the attack. Mr. Meadows is uniquely situated to provide key information, having straddled an official role in the White House and unofficial role related to Mr. Trump’s re-election campaign since at least election day in 2020 through January 6.

*B. Mr. Meadows has refused to comply with the Select Committee’s subpoena.*

On September 23, 2021, the Select Committee sent a subpoena to Mr. Meadows ordering the production of both documents and



testimony relevant to the Select Committee's investigation. The accompanying letter set forth a schedule specifying categories of related documents sought by the Select Committee on topics including, but not limited to, documents and communications regarding the 2020 election results sent or transmitted between White House officials and officials of State or local governments; communications regarding challenging, decertifying, overturning, or contesting the results of the 2020 presidential election; communications with Members of Congress on January 6 relating to or referring to the attack on the Capitol; documents and communications related to security of the Capitol or other Federal facilities on January 5, 2021, and January 6, 2021; and documents and communications regarding any plan for the former President to march or walk to the Capitol.

The subpoena required Mr. Meadows to produce the requested documents to the Select Committee on October 7, 2021, and to provide testimony on October 15, 2021. As authorized by Mr. Meadows, attorney Scott Gast accepted service of this subpoena on behalf of Mr. Meadows on September 23, 2021. On October 7, 2021, George J. Terwilliger, III, sent a letter to the Select Committee advising that he had been retained to serve as counsel to Mr. Meadows for purposes of the Select Committee's inquiry.

On October 12, 2021, Mr. Terwilliger and staff for the Select Committee had a telephone call to discuss the Select Committee's subpoena to Mr. Meadows. During that call, staff for the Select Committee previewed certain topics of inquiry they intended to develop during Mr. Meadows's deposition and for which claims of executive privilege should not apply. Chairman THOMPSON included that list of topics in a later letter to Mr. Terwilliger dated October 25, 2021.

On October 13, 2021, Mr. Terwilliger emailed staff for the Select Committee and referenced "the potential for conflicting directions from former-President Trump and President Biden as to preservation of privileges concerning senior presidential advisors and communication by the same in that role." Mr. Terwilliger stated that he was scheduled to discuss "privilege issues" with the White House [c]ounsel's office on October 14 but indicated that it was "not clear . . . that, in whole or in part, relevant privileges would not attach to Mr. Meadows's[] testimony" as to topics that staff for the Select Committee outlined during the October 12 telephone call. Accordingly, he informed the Select Committee that he "could not advise" Mr. Meadows to "commit to testifying" on the subpoena designated date of October 15. Mr. Terwilliger also emailed to staff for the Select Committee an October 6, 2021, letter from former-President Trump's counsel, Justin Clark, to Mr. Meadows's then-counsel, Mr. Gast, expressing former-President Trump's apparent belief that "Mr. Meadows is immune from compelled congressional testimony on matters related to his official responsibilities." The letter also purports to "instruct[]" Mr. Meadows "(a) where appropriate, invoke any immunities and privilege he may have from compelled testimony in response to the [s]ubpoena; (b) not produce any documents concerning his official duties in response to the [s]ubpoena; and (c) not provide any testimony concerning his official duties in response to the [s]ubpoena."

On October 25, 2021, Chairman THOMPSON responded to Mr. Terwilliger's October 7, 2021, letter and October 13, 2021, email. He stated that even assuming that, as a former President, Mr. Trump is permitted to formally invoke executive privilege, Mr. Trump had not communicated an invocation of privilege, either formally or informally, to

the Select Committee with respect to Mr. Meadows's production of documents or appearance to provide testimony. The October 25 response from Chairman THOMPSON further stated that—even assuming a privilege applied to Mr. Meadows's documents and testimony and former-President Trump had formally invoked a privilege (which was not the case)—Mr. Meadows does not enjoy anything like the type of blanket testimonial immunity former-President Trump and Mr. Terwilliger suggested would insulate Mr. Meadows from an obligation to comply with the Select Committee's subpoena. The letter also noted that, regardless, the information the Select Committee seeks from Mr. Meadows involves a range of subjects that cannot be considered part of Mr. Meadows's "official responsibilities," including but not limited to "communications and meetings involving people who did not work for the United States government"; "Mr. Meadows's[] campaign-related activities"; and "communications and meetings about topics for which the Department of Justice and the White House have expressly declined to assert executive privilege."

The Chairman's October 25 letter extended the subpoena's document production deadline to November 5, 2021, and extended Meadows's appearance for deposition testimony to November 12, 2021. It also made clear that the Select Committee would view failure to respond to the subpoena as willful non-compliance, which would force the Select Committee to consider invoking the contempt of Congress procedures pursuant to 2 U.S.C. §§ 192 and 194, as well as the possibility of civil enforcement proceedings.

On November 3, 2021, Mr. Terwilliger transmitted a letter to the Select Committee, responding to Chairman THOMPSON's October 25, 2021, letter with respect to the production of documents. In it, Mr. Terwilliger stated that he was "not aware at this time of any documents that are responsive to the Select Committee's subpoena and maintained in Mr. Meadows's custody or control," and that he "therefore ha[d] no documents to produce to the Select Committee."

That same day, Mr. Terwilliger transmitted to the Select Committee a second letter. In it, Mr. Terwilliger suggested that Mr. Meadows maintains a "good faith" belief that he cannot comply with the subpoena and testify before Congress and, instead, proposed unspecified accommodations. Notably, Mr. Terwilliger acknowledged that courts had universally rejected Mr. Meadows's position on absolute testimonial immunity, but claimed that the executive branch had never "retreated from that position" and that the Supreme Court had never weighed in.

On November 5, 2021, Chairman THOMPSON responded to Mr. Terwilliger's November 3 letters. Chairman THOMPSON noted that although Mr. Terwilliger stated that Mr. Meadows had no documents to produce to the Select Committee, Mr. Terwilliger had previously indicated that he had gathered documents from Mr. Meadows and was reviewing those documents for responsiveness. The November 5 letter also reiterated Mr. Meadows's obligation to provide a privilege log detailing each document and each privilege that he believes applied for any responsive documents so the Select Committee could evaluate whether any additional actions are appropriate, reminded Mr. Terwilliger that categorical claims of executive privilege are improper and that Mr. Meadows must assert any such claim made by former-President Trump narrowly and specifically. Chairman THOMPSON further noted that the Select Committee had received information suggesting that Mr. Meadows used his personal cell phone for communications relevant to the Select Com-

mittee's inquiry, some of which potentially would fall under Presidential Records Act requirements. Accordingly, Chairman THOMPSON requested that Mr. Terwilliger identify for the Select Committee the current location of Mr. Meadows's cell phone and whether Mr. Meadows provided his texts and other relevant cell phone records to the National Archives.

In an effort to reach an accommodation with respect to Mr. Meadows's deposition, the November 5, 2021, letter provided further information regarding the topics the Select Committee intended to develop with Mr. Meadows during the deposition, some of which the Chairman had previously identified in his October 25, 2021, letter. These topics included but were not limited to "[m]essaging to or from the White House, Trump reelection campaign, party officials, and others about purported fraud, irregularities, or malfeasance in the November 2020 election"; "[e]fforts to pressure federal agencies, including the Department of Justice, to take actions to challenge the results of the presidential election, advance allegations of voter fraud, interfere with Congress's count of the Electoral College vote, or otherwise overturn President Biden's certified victory"; "[e]fforts to pressure former Vice President Pence, members of his staff, and Members of Congress to delay or prevent certification of the Electoral College vote"; "[c]ampaign related activities" including Mr. Meadows's "travel to Georgia" and contacts with "officials and employees in the Georgia secretary of state's Office"; "[m]eetings or other communications involving people who did not work for the United States government" including "Michael Flynn, Patrick Byrne," and "organizers of the January 6 rally like Amy Kremer"; and "[a]dvance knowledge of, and any preparations for, the possibility of violence during election-related rallies and/or protests in Washington, D.C." The letter made clear that the Select Committee did not expect to seek information from Mr. Meadows unrelated to the 2020 election and what led to and occurred on January 6, and indicated a willingness to discuss and negotiate any additional areas or subjects about which the Select Committee would seek information from Mr. Meadows as the Select Committee continued its investigation. Chairman THOMPSON invited input from Mr. Meadows on the delineated topics by November 8. As in previous correspondence, Chairman THOMPSON stated that the Select Committee would view failure to respond to the subpoena as willful non-compliance, which would force the Select Committee to consider invoking the contempt of Congress procedures pursuant to 2 U.S.C. §§ 192 and 194, in addition to the possibility of civil enforcement proceedings.

On November 8, 2021, Mr. Terwilliger responded, stating that he was "reiterate[ing]" Mr. Meadows's position that he "cannot be compelled to provide congressional testimony" as a former White House chief of staff. As a purported "accommodation," Mr. Terwilliger proposed "that the Select Committee propound written interrogatories to Mr. Meadows on any topics about which the Select Committee may wish to inquire." Mr. Terwilliger also indicated that Mr. Meadows had provided him with access to electronic images from his personal accounts and devices, the review of which was "ongoing." Regarding the list of topics outlined in the November 5 letter, Mr. Terwilliger asserted, without specifically and narrowly addressing on a topic-by-topic basis, that the topics "plainly implicate executive privilege even under a narrow interpretation of it," and expressed the belief that Mr. Meadows could not testify about the topics without implicating executive privilege.

In a November 9, 2021, letter to Mr. Terwilliger, Chairman THOMPSON stated that Mr. Terwilliger's November 8 letter failed to respond with any specificity about the topics of inquiry by the Select Committee, leading the Select Committee to assume that Mr. Terwilliger believed that all of the topics potentially implicated executive privilege. Chairman THOMPSON further stated that without further input on those topics, which the Select Committee had requested in its November 5 letter, the Select Committee must insist that Mr. Meadows appear for a deposition on November 12, as required by the subpoena, and that written interrogatories were not an acceptable substitute for live, in-person testimony. The November 9 letter further stated that the Select Committee had identified evidence regarding Mr. Meadows's use of personal cellular phone and email accounts, and, because of that, it would be a subject of inquiry during the November 12 deposition. The letter listed eight specific questions concerning the information that the Select Committee would seek to develop regarding this issue, none of which implicated any executive or other privilege.

Meanwhile, on November 9, 2021, the Federal District Court for the District of Columbia issued a ruling rejecting Donald Trump's attempt to prohibit disclosure of White House documents to the Select Committee by asserting the executive privilege. The Federal court held "that the public interest lies in permitting—not enjoining—the combined will of the legislative and executive branches to study the events that led to and occurred on January 6, and to consider legislation to prevent such events from ever occurring again." The United States Court of Appeals for the District of Columbia Circuit affirmed the district court's ruling on December 9, 2021.

On November 10, 2021, Mr. Terwilliger acknowledged receipt of Chairman THOMPSON's November 9, 2021, letter, but did not address the eight specific questions Chairman THOMPSON included in his letter, instead stating that "Mr. Meadows cannot agree to appear at 10 AM Friday" and again claiming that Mr. Meadows believed that "senior aides to the president cannot be compelled to provide congressional testimony."

On November 11, 2021, the White House Counsel's Office issued a letter to Mr. Terwilliger regarding the Select Committee's subpoena to Mr. Meadows. That letter stated: "in recognition of these unique and extraordinary circumstances, where Congress is investigating an effort to obstruct the lawful transfer of power under our Constitution, President Biden has already determined that an assertion of executive privilege is not in the public interest, and is therefore not justified, with respect to particular subjects within the purview of the Select Committee." The letter further noted that, consistent with this determination, President Biden "will not assert executive privilege with respect to [Mr. Meadows's] deposition testimony on these subjects, or any documents your client may possess that may bear on them," and "will not assert immunity to preclude [Mr. Meadows] from testifying before the Select Committee."

Later on November 11, 2021, Chairman THOMPSON sent another letter to Mr. Terwilliger. This letter summarized the correspondence between Mr. Terwilliger and the Select Committee, and again noted that Mr. Meadows's reliance on opinions regarding absolute immunity from the Department of Justice Office of Legal Counsel ("OLC") was misguided given that their reasoning has been rejected by all Federal courts to have considered the issue of absolute immunity. The Chairman's letter emphasized that, in

any event, the White House Counsel's Office letter from earlier that day "eviscerates any plausible claim of testimonial immunity or executive privilege, and compels compliance with the Select Committee's subpoena."

On November 12, 2021, at 10 a.m., Mr. Meadows failed to appear at the designated location to provide testimony relevant to the Select Committee's inquiry in response to questions posed, as was required by the subpoena. He also failed to produce any responsive documents or a privilege log identifying the specific basis for withholding any documents believed to be protected by privilege.

On November 19, 2021, a full week after Mr. Meadows failed to appear for a deposition and two weeks after the deadline to produce documents, Mr. Terwilliger sent a letter to Chairman THOMPSON purportedly seeking an accommodation and suggesting, again, that the Select Committee send interrogatories to Mr. Meadows as a first step in a longer accommodation process that "could," depending on certain negotiations and parameters, result in a limited "deposition" "outside of compulsion by subpoena." Mr. Terwilliger made clear that Mr. Meadows would only answer interrogatories on a narrow range of topics, and even on those topics would not provide any information regarding communications with the former President, former senior White House aides, and other individuals with whom Mr. Meadows spoke on behalf of the President unless the former President explicitly authorized him to do so.

Chairman THOMPSON responded to Mr. Terwilliger on November 22, 2021. In his response, the Chairman rejected Mr. Terwilliger's proposal to proceed by interrogatories instead of lawfully-compelled testimony and production of documents. In rejecting Mr. Terwilliger's proposal for a second time, the Chairman noted that "[w]hen Mr. Meadows first proposed interrogatories, he asked that the Select Committee 'propound' them, but did not say that he would actually provide any substantive information in response." The Chairman further noted, "[n]ow, after his failure to comply with the Select Committee's subpoena, [Mr. Meadows] has added conditions: (1) the interrogatories can only ask questions about two days in January 2021 and Mr. Meadows's communications with the Department of Justice; and (2) Mr. Meadows will only respond to questions about his communications 'with or on behalf of the [former] President, or with other senior White House aides' provided that he first obtains the former President's approval." Chairman THOMPSON then walked through the Select Committee's lengthy correspondence with Mr. Terwilliger, and explained that "[t]his history has led the Select Committee to suspect that you are simply engaged in an effort to delay, and that Mr. Meadows has no genuine intent to offer any testimony on any relevant topic." Nevertheless, the Chairman extended Mr. Meadows an opportunity to show that he was operating in good faith by instructing Mr. Meadows to provide documents responsive to the original subpoena by November 26, 2021, and to appear for a deposition that the Chairman would convene on November 29, 2021 (later moved to December 8, 2021). In doing so, Chairman THOMPSON reiterated that Mr. Meadows may object to specific questions that he believes raise privilege concerns so that he and the Select Committee could engage in further discussions about his privilege arguments. In closing, Chairman THOMPSON indicated that the Select Committee would "defer consideration of enforcement steps regarding Mr. Meadows's non-compliance with the Select Committee's subpoena pending the November 26 production of documents and November 29 deposition."

Mr. Terwilliger responded to Chairman THOMPSON's letter by two separate letters dated November 26, 2021. In his first letter, Mr. Meadows, through counsel, specifically agreed to appear for a "deposition to answer questions on what you believe to be non-privileged matters" subject to certain proposed conditions. In his separate letter, Mr. Michael Francisco, another attorney representing Mr. Meadows, explained that Mr. Meadows was making an "initial" document production of 1,139 documents responsive to the Select Committee's subpoena that were found in Mr. Meadows's personal Gmail account and that counsel was reviewing information from Mr. Meadows's personal cell phone, which Mr. Meadows "did not retain . . . after January 2021." Mr. Francisco also provided a privilege log with that document production showing that Mr. Meadows was withholding hundreds more documents found in his personal Gmail account due to claims of executive, marital, and other protective privileges.

On November 28, 2021, Chairman THOMPSON responded to counsel's letters and indicated that he was willing to accommodate Mr. Meadows's request for a deposition during the week of December 6 *provided that* he complete his production of documents no later than Friday, December 3, 2021. Chairman THOMPSON also explained that the Select Committee would ask questions of Mr. Meadows relevant to the investigation and consistent with Chairman THOMPSON's previous letters about executive privilege. Chairman THOMPSON again explained his hope that Mr. Meadows would answer the questions posed, but also said that Mr. Meadows should assert any privileges that he believed applied on a question-by-question basis on the record to inform continued discussions. As an accommodation, Chairman THOMPSON also agreed to provide in advance of the depositions the documents that the Select Committee intended to use in its questioning. Mr. Terwilliger agreed to the deposition format as explained in the November 28 letter during a call with Select Committee staff.

As requested by Chairman THOMPSON, on December 3, 2021, Mr. Francisco produced approximately 2,300 text messages obtained from data backed up from Mr. Meadows's personal cell phone. In doing so, Mr. Francisco also produced a privilege log with the document production showing that Mr. Meadows was withholding over 1,000 more text messages from his personal cell phone due to claims of executive, marital, and other protective privileges.

Then, on December 7, 2021, Mr. Terwilliger sent a letter explaining that Mr. Meadows would not attend a deposition on December 8, as he had previously agreed to do. During a call with Select Committee staff that same day, Mr. Terwilliger indicated that Mr. Meadows would not appear at all, even to discuss the documents that he had already provided to the Select Committee and that were not covered by any claim of protective privilege.

To date, and despite the opportunity that the Select Committee gave to Mr. Meadows to cure his previous non-compliance with the Select Committee's subpoena, Mr. Meadows has never appeared for a compelled or voluntary deposition to answer any of the Select Committee's questions, even questions about the documents that Mr. Meadows has produced to the Select Committee.

*C. Mr. Meadows's purported basis for non-compliance is wholly without merit.*

As explained above, as part of its legislative function, Congress has the power to compel witnesses to testify and produce documents. An individual—whether a member of the public or an executive branch official—

has a legal (and patriotic) obligation to comply with a duly issued and valid congressional subpoena, unless a valid and overriding privilege or other legal justification permits non-compliance. In *United States v. Bryan*, the Supreme Court stated:

A subpoena has never been treated as an invitation to a game of hare and hounds, in which the witness must testify only if cornered at the end of the chase. If that were the case, then, indeed, the great power of testimonial compulsion, so necessary to the effective functioning of courts and legislatures, would be a nullity. We have often iterated the importance of this public duty, which every person within the jurisdiction of the Government is bound to perform when properly summoned.

It is important to note that the Select Committee sought testimony from Mr. Meadows on information for which there can be no conceivable privilege claim. Examples of that information are provided in this report, and the non-privileged nature of some key information has been recognized by Mr. Meadows's own production documents. The Select Committee has been entitled to Mr. Meadows's testimony on that information, regardless of his claims of privilege over other categories of information.

In *United States v. Nixon*, 418 U.S. 683, 703–16 (1974), the Supreme Court recognized an implied constitutional privilege protecting presidential communications. The Court held though that the privilege is qualified, not absolute, and that it is limited to communications made “in performance of [a President's] responsibilities of his office and made in the process of shaping policies and making decisions.” Executive privilege is a recognized privilege that, under certain circumstances, may be invoked to bar congressional inquiry into communications covered by the privilege.

Mr. Meadows has refused to testify in response to the subpoena ostensibly based on broad and undifferentiated assertions of various privileges, including claims of executive privilege purportedly asserted by former-President Trump. As the Select Committee has repeatedly pointed out to Mr. Meadows, his claims of testimonial immunity and executive privilege do not justify Mr. Meadows's conduct with respect to the Select Committee's subpoena. His legal position is particularly untenable in light of the incumbent President's decision to not assert testimonial immunity or executive privilege with respect to subjects on which the Select Committee seeks information from Mr. Meadows. And it is untenable in light of Mr. Meadows's public descriptions of events in the book that he is trying to sell and during his numerous television appearances.

Even if privileges were applicable to some aspects of Mr. Meadows's testimony, he was required to appear before the Select Committee for his deposition, answer any questions concerning non-privileged information, and assert any such privilege on a question-by-question basis. After promising to appear, Mr. Meadows has now reversed course and resumed his contemptuous behavior. Mr. Meadows's conduct in response to the Select Committee's subpoena constitutes a violation of the contempt of Congress statutory provisions.

*1. The incumbent President has declined to assert claims of executive privilege and testimonial immunity.*

President Biden has declined to assert claims of executive privilege or testimonial immunity regarding subjects about which the Select Committee seeks documents and testimony from Mr. Meadows. That fact matters because, even if a former President at-

tempts to prevent disclosure of certain information through assertions of executive privilege, the former President's privilege is subordinate to executive privilege determinations made by the incumbent President. “[I]t is the new President [not his predecessor] who has the information and attendant duty of executing the laws in the light of current facts and circumstances,” and “the primary, if not the exclusive” duty of deciding when the need of maintaining confidentiality in communications “outweighs whatever public interest or need may reside in disclosure.” *Dellums v. Powell*, 561 F.2d 242, 247 (D.C. Cir. 1977).

Indeed, in briefings in *Trump v. Thompson*, litigation involving a lawsuit against the Select Committee and the National Archives and Records Administration, DOJ has explained, even more specifically, why President Biden's decision controls whether information relevant to the Select Committee's investigation should be disclosed. DOJ said, among other things, that “[a] former President has no responsibility for the current execution of the law” and “[a]bsent unusual circumstances, allowing a former President to override decisions by the incumbent President regarding disclosure of Executive Branch information would be an extraordinary intrusion” into executive branch authority.

In other words, “[a]llowing a former President to block disclosure of Executive Branch information that the incumbent President has determined is in the national interest to share with Congress would be even more clearly contrary to well-established principles governing the exercise of sovereign authority.” This is consistent with the District Court's decision in the same litigation, in which it rejected Mr. Trump's position and explained that Mr. Trump “is no longer situated to protect executive branch interests with the information and attendant duty of executing the laws in the light of current facts and circumstances” and because “he no longer remains subject to political checks against potential abuse of that power.”

In his November 3 letter, Mr. Terwilliger stated that “it would be untenable for Mr. Meadows to decide unilaterally that he will waive privileges that not only protected his own work as a senior White House official but also protect current and future White House officials, who rely on executive privilege in giving their best, most candid advice to the President.” Of course, Mr. Meadows appears to have already done that by recounting in his book and on national television specific conversations and deliberations he had with Mr. Trump about events related to the January 6th attack on the United States Capitol. But, even if he had not done all of that, he still need not worry about making such decisions “unilaterally” because the incumbent President has already declined to assert executive privilege or testimonial immunity regarding subjects about which the Select Committee seeks information. Mr. Meadows has known since he received the White House's letter on November 11, 2021, that President Biden determined that “an assertion of privilege is not justified with respect to testimony and documents” and that President Biden “will not assert executive privilege with respect to [Mr. Meadows's] deposition testimony on these subjects, or any documents [Mr. Meadows] may possess that bear on them relevant to the Select Committee's investigation.” President Biden came to this conclusion “in recognition of these unique and extraordinary circumstances, where Congress is investigating an effort to obstruct the lawful transfer of power under our Constitution.” Despite all of this, Mr. Meadows failed to appear for his deposition on November 12. When

given the opportunity to cure his earlier contempt and appear for a deposition well after the subpoena's deadlines, he, once again, failed to do so.

*2. Mr. Trump has not formally invoked executive privilege.*

Former President Trump has had no communication with the Select Committee. In an October 11 email to the Select Committee, Mr. Meadows's attorney attached an October 6, 2021, letter from Mr. Trump's attorney, Justin Clark, in which Mr. Clark claimed that the Select Committee subpoena seeks information that is “unquestionably protected from disclosure by the executive and other privileges, including among others the presidential communications, deliberative process, and attorney-client privileges.” Mr. Clark stated that former-President Trump “is prepared to defend these fundamental privileges in court.” Mr. Clark also relayed that, “to the fullest extent permitted by law, President Trump instructs Mr. Meadows to: (a) where appropriate, invoke any immunities and privileges he may have from compelled testimony in response to the Subpoena; and (c) not provide any testimony concerning his official duties in response to the Subpoena.” But without a formal assertion by Mr. Trump to the Select Committee, Mr. Meadows cannot establish the foundational element of a claim of executive privilege: an invocation of the privilege by the executive.

In *United States v. Reynolds*, 345 U.S. 1, 7–8 (1953), the Supreme Court held that executive privilege:

[B]elongs to the Government and must be asserted by it; it can neither be claimed nor waived by a private party. It is not to be lightly invoked. There must be a formal claim of privilege, lodged by the head of the department which has control over the matter, after actual personal consideration by that officer.

Here, the Select Committee has not been provided by Mr. Trump with any formal invocation of executive privilege. There is no legal authority—and neither Mr. Meadows nor former-President Trump nor his counsel have cited any—holding that a vague statement by someone who is not a government official that a former President has an intention to assert a privilege absolves a subpoena recipient of his duty to comply. Such indirect, non-specific assertion of privilege, without any description of the documents or testimony over which privilege is claimed, is insufficient to activate a claim of executive privilege.

*3. Mr. Meadows is not entitled to absolute immunity.*

Mr. Meadows has refused to appear for a deposition based on his purported reliance on alleged absolute testimonial immunity. However, even if Mr. Trump had invoked executive privilege, and even if executive privilege reached certain testimony sought by the Select Committee, Mr. Meadows would not be immune from compelled testimony before the Select Committee, especially given the fact that he is no longer a high-level White House official.

All courts that have reviewed this issue have been clear: even senior White House aides who advise the President on official government business are not immune from compelled congressional process. Instead, Mr. Meadows acknowledges that this theory of immunity is based entirely on internal memoranda from OLC that courts, in relevant parts, have uniformly rejected. Nevertheless, Mr. Meadows refused to appear at his deposition.

Moreover, by their own terms, the OLC opinions on which Mr. Meadows relies are limited, applying only to testimony “about [a senior official’s] official duties,” not testimony about unofficial duties. Many of the topics that Chairman THOMPSON identified in his correspondence are unrelated to Mr. Meadows’s official duties and would neither fall under the reach of the “absolute immunity” theory nor any privilege whatsoever. For instance:

- Mr. Meadows was not conducting official and privileged business when he participated in a January 2021 call with campaign lawyers and State officials in which the participants urged State legislators to overturn the results of the November 2020 election and guarantee a second term for Mr. Trump;

- Mr. Meadows was not conducting official and privileged business when he participated in another call with campaign lawyers and the Georgia secretary of state in which Mr. Trump urged the Georgia secretary of state to “find” enough votes to ensure his campaign’s victory in Georgia; and

- Mr. Meadows was not engaged in official and privileged business when he used his personal accounts and/or devices to contact the Georgia secretary of state or speak with private organizers of a rally on the Ellipse that occurred just before the attack on the U.S. Capitol.

The Select Committee specifically identified to Mr. Meadows these and other topics as subjects for his deposition testimony, and he had the legal obligation to appear before the Select Committee and address them on the record.

Mr. Meadows’s production of documents to the Select Committee highlights that he has information relevant to the Select Committee’s inquiry that he himself acknowledges is not subject to any privilege. His refusal to provide testimony on such subjects further evidences willful non-compliance with the Select Committee’s deposition subpoena. Mr. Meadows produced to the Select Committee certain communications with campaign staff, Members of Congress, and acquaintances that do not involve official business, while withholding others that presumably do involve official business because of “executive privilege.” In doing so, Mr. Meadows has clearly acknowledged that he has relevant information that is not related to his official conduct. And because the relevant information that he has is not related to his official conduct, Mr. Meadows cannot avoid a deposition in which he would be asked questions about those documents by invoking an OLC opinion that is limited to testimony about “official duties.”

4. *Even if Mr. Trump had properly invoked executive privilege and Mr. Meadows had properly asserted it, the privilege would not bar the Select Committee from obtaining evidence from Mr. Meadows.*

The law is clear that executive privilege does not extend to discussions relating to non-governmental business or among private citizens. In *In re Sealed Case (Espy)*, 121 F.3d 729, 752 (D.C. Cir. 1997), the court explained that the presidential communications privilege covers “communications authored or solicited and received by those members of an immediate White House adviser’s staff who have broad and significant responsibility for investigating and formulating the advice to be given the President on the particular matter to which the communications relate.” The court stressed that the privilege only applies to communications intended to advise the President “on official government matters.”

As noted above, the Select Committee seeks information from Mr. Meadows on a wide range of subjects that executive privi-

lege cannot conceivably reach. For example, the Select Committee seeks information from Mr. Meadows about his interactions with private citizens, Members of Congress, or others outside the White House related to the 2020 election or efforts to overturn its results. Mr. Meadows has repeatedly refused to answer any questions about these matters. He has even refused to answer questions about the documents that he himself produced to the Select Committee without any assertions of privilege.

Even with respect to Select Committee inquiries that involve Mr. Meadows’s direct communications with Mr. Trump, executive privilege does not bar Select Committee access to that information. Only communications that relate to official government business can be covered by the presidential communications privilege. Here, Mr. Meadows’s conduct regarding several subjects of concern to the Select Committee is not related to official government business, such as: Meadows’s participation in calls and meetings that clearly concerned Mr. Trump’s campaign rather than his official duties; or, Mr. Meadows’s participation in meetings with Mr. Trump and private individuals about seizing voting machines or taking other steps related to the election that could reportedly, in Mr. Trump’s words, “offer[] me a chance”; or, Mr. Meadows’s contacts with organizers of the January 6th rally on the Ellipse.

Moreover, even with respect to any subjects of concern that arguably involve official government business, the Select Committee’s need for this information to investigate the facts and circumstances surrounding the horrific January 6 assault on the U.S. Capitol and the Nation’s democratic institutions far outweighs any possible executive branch interest at this point in maintaining confidentiality. As noted by the executive, “the constitutional protections of executive privilege should not be used to shield information reflecting an effort to subvert the Constitution itself, and indeed [the President] believes that such an assertion in this circumstance would be at odds with the principles that underlie the privilege.”

Finally, when explaining his claim of privilege to the Select Committee, Mr. Meadows has suggested that he has no choice but to avoid testifying because, as White House chief of staff, he had “assumed responsibility to protect Executive Privilege during and after his tenure,” and that he had “assumed that responsibility not for his own benefit but for the benefit of all those who will serve after him, including future presidents.” He included in a separate letter a passage about the importance of executive branch confidentiality to “ensure that the President can obtain . . . sound and candid advice.” Those words are belied by Mr. Meadows’s conduct.

To be sure, the Supreme Court has made clear that executive privilege is rooted in the need for confidentiality to ensure that presidential decision-making is informed by honest advice and full knowledge: “[h]uman experience teaches that those who expect public dissemination of their remarks may well temper candor with a concern for appearances and for their own interests to the detriment of the decision-making process.” In *Nixon v. GSA*, the Supreme Court again considered issues related to executive privilege and balanced the important interests served by the Presidential Records Act against the intrusion into presidential confidentiality caused by compliance with the Act. Thus, a valid claim of executive privilege presumes that the information sought to be discovered is confidential and that the need to maintain that confidentiality outweighs the interests promoted by disclosure.

Here, however, executive privilege and the need to maintain confidentiality is severely undermined, if not entirely vitiated, by Mr. Meadows’s own extensive public disclosure of his communications with the former President, including on issues directly implicated by the Select Committee’s subpoena. Mr. Meadows has appeared on national television discussing the January 6th attack on the U.S. Capitol and related conversations with former-President Trump. And he has written about what former-President Trump told him on January 6th in his newly released book. Mr. Meadows’s conduct relating to the very subjects of interest to the Select Committee foreclose a claim of executive privilege with respect to those disclosures. Moreover, Mr. Meadows’s statements to the Select Committee about his professed need to protect presidential confidentiality rings hollow in the face of his cavalier and repeated disclosure of presidential communications in circumstances where doing so appears to suit his personal or political interests. Mr. Meadows has shown his willingness to talk about issues related to the Select Committee’s investigation across a variety of media platforms—anywhere, it seems, except to the Select Committee.

For the reasons stated above, Mr. Meadows’s own conduct and the determination by the current executive overrides any claim by Mr. Trump (even assuming Mr. Trump had invoked executive privilege with respect to Mr. Meadows). Furthermore, Mr. Meadows has refused Chairman THOMPSON’s numerous invitations to assert executive privilege on a question-by-question basis, making it impossible for the Select Committee to consider any good-faith executive privilege assertions. And, as discussed above, such concerns are wholly inapplicable to the broad range of subjects about which the Select Committee seeks Mr. Meadows’s testimony that Mr. Meadows has acknowledged involve non-privileged matters.

D. *Precedent supports the Select Committee’s position to proceed with holding Mr. Meadows in contempt.*

An individual who fails or refuses to comply with a House subpoena may be cited for contempt of Congress. Pursuant to 2 U.S.C. § 192, the willful refusal to comply with a congressional subpoena is punishable by a fine of up to \$100,000 and imprisonment for up to 1 year. In *Quinn v. United States*, the Supreme Court said that “Section 192, like the ordinary federal criminal statute, requires a criminal intent—in this instance, a deliberate, intentional refusal to answer.” And proving criminal intent in this context is no more than showing a “deliberate” “refusal to answer pertinent questions”; it does not require a showing of “moral turpitude.” A committee may vote to seek a contempt citation against a recalcitrant witness. This action is then reported to the House. If a resolution to that end is adopted by the House, the matter is referred to a U.S. Attorney, who has a duty to refer the matter to a grand jury for an indictment.

Mr. Meadows has previously recognized the importance of congressional access to information from executive branch officials to advance congressional investigations. As a Representative in Congress, he served as ranking member of the House Committee on Oversight and Reform. In that position, he expected that even senior executive branch officials such as the Deputy Attorney General comply with Congress’s subpoenas. Indeed, such an expectation is consistent with precedent spanning Republican and Democratic administrations under which top White House aides have provided testimony to Congress. Further, his recent assertion to the Select Committee that he “cannot be

compelled to provide congressional testimony” as a former White House chief of staff runs directly counter to precedent under which top White House aides have provided testimony to Congress under subpoena. For example, former White House Chief of Staff John Podesta and former White House Counsel Beth Nolan testified in 2001 under subpoena regarding President Clinton’s pardons before the House Committee on Government Reform.

Mr. Meadows did not need to be informed of his responsibility to comply with the Select Committee’s subpoena, but Chairman THOMPSON informed him anyway. In his November 11, 2021, letter to Mr. Meadows’s counsel, Chairman THOMPSON advised Mr. Meadows that his claims of executive privilege were not well-founded and did not absolve him of his obligation to produce documents and appear for deposition testimony. The Chairman made clear that the Select Committee expected Mr. Meadows to appear for his scheduled deposition on November 12th and produce the requested documents at that time. The Chairman warned Mr. Meadows that his continued non-compliance would put him in jeopardy of a vote to refer him to the House to consider a criminal contempt referral. Mr. Meadows did not produce documents and did not show up for his deposition. And, when given the opportunity to cure his earlier contempt, Mr. Meadows produced documents but still chose to withhold testimony. Mr. Meadows’s failure to appear for deposition testimony in the face of this clear advisement and warning by the Chairman, and after being given a second chance to cooperate with the Select Committee, constitutes a willful failure to comply with the subpoena.

#### SELECT COMMITTEE CONSIDERATION

The Select Committee met on Monday, December 13, 2021, with a quorum being present, to consider this Report and ordered it and the Resolution contained herein to be favorably reported to the House, without amendment, by a recorded vote of 9 ayes to 0 noes.

#### SELECT COMMITTEE VOTE

Clause 3(b) of rule XIII requires the Select Committee to list the recorded votes during consideration of this Report:

1. A motion by Ms. CHENEY to report the Select Committee Report for a Resolution Recommending that the House of Representatives find Mark Randall Meadows in Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Select Committee to Investigate the January 6th Attack on the United States Capitol favorably to the House was agreed to by a recorded vote of 9 ayes to 0 noes (Rollcall No. 3).

#### Select Committee Rollcall No. 3

Motion by Ms. CHENEY to Favorably Report  
Agreed to: 9 ayes to 0 noes

Members	Vote
Ms. Cheney, Vice Chair .....	Aye
Ms. Lofgren .....	Aye
Mr. Schiff .....	Aye
Mr. Aguilar .....	Aye
Mrs. Murphy (FL) .....	Aye
Mr. Raskin .....	Aye
Mrs. Luria .....	Aye
Mr. Kinzinger .....	Aye
Mr. Thompson (MS), Chairman .....	Aye

#### SELECT COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII, the Select Committee advises that the oversight findings and recommendations of

the Select Committee are incorporated in the descriptive portions of this Report.

#### CONGRESSIONAL BUDGET OFFICE ESTIMATE

The Select Committee finds the requirements of clause 3(c)(2) of rule XIII and section 308(a) of the Congressional Budget Act of 1974, and the requirements of clause 3(c)(3) of rule XIII and section 402 of the Congressional Budget Act of 1974, to be inapplicable to this Report. Accordingly, the Select Committee did not request or receive a cost estimate from the Congressional Budget Office and makes no findings as to the budgetary impacts of this Report or costs incurred to carry out the Report.

#### STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the objective of this Report is to enforce the Select Committee’s authority to investigate the facts, circumstances, and causes of the January 6th attack and issues relating to the peaceful transfer of power, in order to identify and evaluate problems and to recommend corrective laws, policies, procedures, rules, or regulations; and to enforce the Select Committee’s subpoena authority found in section 5(c)(4) of House Resolution 503.

#### ENDNOTES

<sup>1</sup>Jonathan Karl, *Betrayal: The Final Act of the Trump Show*, (New York: Dutton, 2021), pp. 297–299.

<sup>2</sup>Documents on file with the Select Committee; Joshua Kaplan and Joaquin Sapien, “New Details Suggest Senior Trump Aides Knew Jan. 6 Rally Could Get Chaotic,” *ProPublica*, (June 25, 2021), available at <https://www.propublica.org/article/new-details-suggest-senior-trump-aides-knew-jan-6-rally-could-get-chaotic>.

<sup>3</sup>Joe Walsh, “Trump Chief of Staff Observes Georgia County’s Ballot Audit Amid Ongoing Baseless Fraud Claims,” *Forbes*, (Dec. 22, 2020), available at <https://www.forbes.com/sites/joewalsh/2020/12/22/trump-chief-of-staff-observes-georgia-countys-ballot-audit-amid-ongoing-baseless-fraud-claims/?sh=379f2627b411>.

<sup>4</sup>“Here’s the full transcript and audio of the call between Trump and Raffensperger,” *Washington Post*, (Jan. 2, 2021), available at <https://www.washingtonpost.com/politics/trump-raffensperger-call-transcript-georgia-vote/2021/01/03/2768e0cc-4ddd-11eb-83e3-322644d82356-story.html>.

<sup>5</sup>Nicholas Wu, Kyle Cheney, and Josh Gerstein, “National Archives: Meadows may not have stored all Trump-era records ‘properly,’” *Politico*, (Dec. 9, 2021), available at <https://www.politico.com/news/2021/12/09/national-archives-meadows-trump-524043>.

<sup>6</sup>U.S. Senate, Committee on the Judiciary, “Subverting Justice: How the Former President and His Allies Pressured DOJ to Overturn the 2020 Election,” (Oct. 7, 2021) (“Senate Report”), at pp. 4, 5, 14, 29–39; Documents on file with the Select Committee.

<sup>7</sup>Jonathan Swan and Zachary Basu, “Bonus episode: Inside the craziest meeting of the Trump presidency,” *Axios*, (Feb. 2, 2021), available at <https://www.axios.com/trump-oval-office-meeting-sidney-powell-a8e1e466-2e42-42d0-9cfl-26eb267f8723.html>.

<sup>8</sup>Caitlin McFall, “Trump, House Republicans held call to discuss Electoral College rejection: Brooks,” *Fox News*, (Jan. 2, 2021), available at <https://www.foxnews.com/politics/gop-splits-electoral-college-certification>; Documents on file with the Select Committee.

<sup>9</sup>Karl, *Betrayal*, pp. 259–260.

<sup>10</sup>Documents on file with the Select Committee; Joshua Kaplan and Joaquin Sapien, “New Details Suggest Senior Trump Aides Knew Jan. 6 Rally Could Get Chaotic,” *ProPublica*, (June 25, 2021), available at <https://www.propublica.org/article/new-details-suggest-senior-trump-aides-knew-jan-6-rally-could-get-chaotic>.

<sup>11</sup>Mark Meadows, *The Chief’s Chief*, (All Seasons Press, 2021), p. 259.

<sup>12</sup>See Appendix, Ex. 3 (Letter from White House Counsel to Counsel for Mr. Meadows, Nov. 11, 2021).

<sup>13</sup>The prison term for this offense makes it a Class A misdemeanor. 18 U.S.C. § 3559(a)(6). By that classification, the penalty for contempt of Congress specified in 2 U.S.C. § 192 increased from \$1,000 to \$100,000. 18 U.S.C. § 3571(b)(5).

<sup>14</sup>*United States v. Bryan*, 339 U.S. 323, 331 (1950).

<sup>15</sup>*Trump v. Mazars USA LLP*, 140 S.Ct. 2019, 2036 (2020) (emphasis in original; internal quotation marks removed). See also *Watkins v. United States*, 354

U.S. 178, 187–88 (1957) (stating of citizens that “It is their unremitting obligation to respond to subpoenas, to respect the dignity of the Congress and its committees, and to testify fully with respect to matters within the province of proper investigation.”).

<sup>16</sup>*Watkins v. United States*, 354 U.S. 178, 187 (1957). See also *Trump v. Mazars USA, LLP*, 140 S.Ct. 2019, 2031 (2020).

<sup>17</sup>*McGrain v. Daugherty*, 273 U.S. 135, 174 (1927).

<sup>18</sup>*Ashland Oil, Inc. v. FTC*, 409 F.Supp. 297, 305 (D.D.C. 1976), *aff’d*, 548 F.2d 977 (D.C. Cir. 1976) (quoting *McGrain*, 273 U.S. at 175).

<sup>19</sup>Pub. L. 79–601, 79th Cong. § 136, (1946).

<sup>20</sup>Pub. L. 91–510, 91st Cong. § 118, (1970).

<sup>21</sup>Speaker Pelosi detailed such consultation and her selection decisions in a July 21, 2021, press release, available at <https://www.speaker.gov/newsroom/72121-2>.

<sup>22</sup>167 Cong. Rec. 115 (July 1, 2021), at p. H3597 and 167 Cong. Rec. 130 (July 26, 2021), at p. H3885. The January 4, 2021, order of the House provides that the Speaker is authorized to accept resignations and to make appointments authorized by law or by the House. See 167 Cong. Rec. 2 (Jan. 4, 2021), at p. H37.

<sup>23</sup>House rule XI, cl. 2(m)(1)(B), 117th Cong., (2021); H. Res. 503, 117th Cong. § 5(c)(4), (2021).

<sup>24</sup>See clause 2(m)(3)(D) of rule XI (“Subpoenas for documents or testimony may be issued to . . . the President, and the Vice President, whether current or former, in a personal or official capacity, as well as the White House, the Office of the President, the Executive Office of the President, and any individual currently or formerly employed in the White House, Office of the President, or Executive Office of the President.”).

<sup>25</sup>H. Res. 503, 117th Cong. § 5(c)(6), (2021).

<sup>26</sup>Section 5(c)(4) of H. Res. 503 invokes clause 2(m)(3)(A)(i) of rule XI, which states in pertinent part: “The power to authorize and issue subpoenas under subparagraph (1)(B) may be delegated to the chair of the committee under such rules and under such limitations as the committee may prescribe.”

<sup>27</sup>H. Res. 503, 117th Cong. § 3(1) (2021).

<sup>28</sup>Karl, *Betrayal*, pp. 297–299.

<sup>29</sup>Documents on file with the Select Committee (Meadows production); Carol Leonnig and Philip Rucker, *I Alone Can Fix It*, (New York: Penguin, 2021), p. 476.

<sup>30</sup>Adam Kirsch, “‘The President Threw Us Under the Bus’: Embedding with Pentagon Leadership in Trump’s Chaotic Last Week,” *Vanity Fair*, (Jan. 22, 2021), available at <https://www.vanityfair.com/news/2021/01/embedding-with-pentagon-leadership-in-trumps-chaotic-last-week>.

<sup>31</sup>Documents on file with the Select Committee (Meadows production); Transcript, “The Inghram Angle,” *Fox News*, (Feb. 11, 2021), available at <https://www.foxnews.com/transcript/biden-warns-china-could-eat-our-lunch-after-phone-call-with-xi>; Transcript, “Hannity,” *Fox News*, (Feb. 12, 2021), available at <https://www.foxnews.com/transcript/new-yorker-who-lost-mother-in-law-in-nursing-home-blasts-disgrace-cuomo>; Testimony of Hon. Christopher C. Miller, U.S. House of Representatives Committee on Oversight and Reform, (May 12, 2021), available at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/Miller%20Testimony.pdf>.

<sup>32</sup>Documents on file with the Select Committee (Meadows production).

<sup>33</sup>Documents on file with the Select Committee (Meadows production).

<sup>34</sup>Documents on file with the Select Committee (Meadows production).

<sup>35</sup>Documents on file with the Select Committee.

<sup>36</sup>Michael Bender, *Frankly, We Did Win This Election: The Inside Story of How Trump Lost*, (New York: Grand Central Publishing, 2021), p. 369.

<sup>37</sup>Documents on file with the Select Committee.

<sup>38</sup>Marissa Schultz, “Trump meets with members of Congress plotting Electoral College objections on Jan. 6,” *Fox News*, (Dec. 21, 2021), available at <https://www.foxnews.com/politics/members-of-congress-trump-electoral-college-objections-on-jan-6>; Tweet, @MarkMeadows, (Dec. 21, 2020 at 6:03 p.m.) (“Several members of Congress just finished a meeting in the Oval Office with President @realDonaldTrump, preparing to fight back against mounting evidence of voter fraud. Stay tuned.”).

<sup>39</sup>Caitlin McFall, “Trump, House Republicans held call to discuss Electoral College rejection: Brooks,” *Fox News*, (Jan. 2, 2021), available at <https://www.foxnews.com/politics/gop-splits-electoral-college-certification>; Tweet, @RepMoBrooks, (Jan. 2, 2021 at 7:17 p.m.) (“Our fight for honest & accurate elections gains momentum! @Jim Jordan & I co-lead conference call w 50+ Congressmen who join & fight for America’s Republic! . . . President Trump & CoS Mark Meadows speaking. Morale is HIGH!”).

FIGHT!”); Paul Bedard, “Exclusive: Trump urges state legislators to reject electoral votes, ‘You are the real power,’” *Washington Examiner*, (Jan. 3, 2021), available at <https://www.washingtonexaminer.com/washington-secrets/exclusive-trump-urges-state-legislators-to-reject-electoral-votes-you-are-the-real-power>.

<sup>40</sup>Linda So, “Trump’s chief of staff could face scrutiny in Georgia criminal probe,” *Reuters*, (March 19, 2021), available at <https://www.reuters.com/article/us-usa-trump-georgia-meadows-insight-idUSKBN2BB0XX>.

<sup>41</sup>*Id.*  
<sup>42</sup>“AP FACT CHECK: Trump’s made-up claims of fake Georgia votes,” Associated Press, (Jan. 3, 2021), <https://apnews.com/article/ap-fact-check-donald-trump-georgia-elections-atlanta-c23d10e5299e14daee61098857dafa9>; “Here’s the full transcript and audio of the call between Trump and Raffensperger,” *Washington Post*, (Jan. 2, 2021), <https://www.washingtonpost.com/politics/trump-raffensperger-call-transcript-georgia-vote/2021/01/03/2768e0cc-4ddd-11eb-83e3-322644d82356—story.html>.

<sup>43</sup>“Here’s the full transcript and audio of the call between Trump and Raffensperger,” *Washington Post*, (Jan. 2, 2021), <https://www.washingtonpost.com/politics/trump-raffensperger-call-transcript-georgia-vote/2021/01/03/2768e0cc-4ddd-11eb-83e3-322644d82356—story.html>.

<sup>44</sup>Documents on file with the Select Committee.  
<sup>45</sup>Transcript of November 20, 2020, White House Press Conference, available at <https://www.rev.com/blog/transcripts/press-secretary-kayleigh-mcnenany-white-house-press-conference-transcript-november-20>.

<sup>46</sup>Jonathan Swan and Zachary Basu, “Bonus episode: Inside the craziest meeting of the Trump presidency,” *Axios*, (Feb. 2, 2021), available at <https://www.axios.com/trump-oval-office-meeting-sidney-powell-a8e1e466-2e42-42d0-9cfl-26eb267f8723.html>.

<sup>47</sup>*Id.*  
<sup>48</sup>Maggie Haberman and Zolan Kanno-Youngs, “Trump Weighed Naming Election Conspiracy Theorist as Special Counsel,” *New York Times*, (Dec. 19, 2020), available at <https://www.nytimes.com/2020/12/19/us/politics/trump-sidney-powell-voter-fraud.html>.

<sup>49</sup>Jonathan Swan and Zachary Basu, “Bonus episode: Inside the craziest meeting of the Trump presidency,” *Axios*, (Feb. 2, 2021), available at <https://www.axios.com/trump-oval-office-meeting-sidney-powell-a8e1e466-2e42-42d0-9cfl-26eb267f8723.html>.

<sup>50</sup>Karl, *Betrayal*, pp. 259–60.

<sup>51</sup>Documents on file with the Select Committee; Joshua Kaplan and Joaquin Sapien, “New Details Suggest Senior Trump Aides Knew Jan. 6 Rally Could Get Chaotic,” *ProPublica*, (June 25, 2021), available at <https://www.propublica.org/article/new-details-suggest-senior-trump-aides-knew-jan-6-rally-could-get-chaotic>.

<sup>52</sup>Documents on file with the Select Committee.

<sup>53</sup>Meadows, *The Chief’s Chief*, p. 261.

<sup>54</sup>Meadows, *The Chief’s Chief*, p. 259.

<sup>55</sup>See Appendix, Ex. 1 (Subpoena to Mark Meadows).

<sup>56</sup>*Id.*

<sup>57</sup>See Appendix, Ex. 2 (Various Correspondence).

<sup>58</sup>*Id.*

<sup>59</sup>*Id.*

<sup>60</sup>*Id.*

<sup>61</sup>*Id.*

<sup>62</sup>*Id.*

<sup>63</sup>*Id.*

<sup>64</sup>*Id.*

<sup>65</sup>*Id.*

<sup>66</sup>*Id.*

<sup>67</sup>*Id.*

<sup>68</sup>*Id.*

<sup>69</sup>*Id.*

<sup>70</sup>*Id.*

<sup>71</sup>*Id.*

<sup>72</sup>*Id.*

<sup>73</sup>*Id.*

<sup>74</sup>*Id.*

<sup>75</sup>*Id.*

<sup>76</sup>*Id.*

<sup>77</sup>*Id.*

<sup>78</sup>*Id.*

<sup>79</sup>*Id.*

<sup>80</sup>*Id.*

<sup>81</sup>*Id.*

<sup>82</sup>*Id.*

<sup>83</sup>*Id.*

<sup>84</sup>*Id.*

<sup>85</sup>*Id.*

<sup>86</sup>*Id.*

<sup>87</sup>*Id.*

<sup>88</sup>*Trump v. Thompson*, Case No. 1:21-cv-02769-TSC, Doc. 35 (D.D.C. Nov. 9, 2021) (citations and quotation marks omitted).

<sup>89</sup>*Id.*, at p. 39.

<sup>90</sup>See Appendix, Ex. 2.

<sup>91</sup>*Id.*

<sup>92</sup>*Id.*

<sup>93</sup>*Id.*

<sup>94</sup>*Id.*

<sup>95</sup>See Appendix, Ex. 5 (Letter from Counsel to Mark Meadows to Chairman THOMPSON, Nov. 19, 2021), at p. 2.

<sup>96</sup>*Id.*, at pp. 1–2.

<sup>97</sup>See Appendix, Ex. 6 (Letter from Chairman THOMPSON to Counsel to Mark Meadows, Nov. 22, 2021).

<sup>98</sup>*Id.*, at p. 1.

<sup>99</sup>*Id.*

<sup>100</sup>*Id.*, at p. 2.

<sup>101</sup>*Id.*, at pp. 2–3.

<sup>102</sup>*Id.*, at p. 3.

<sup>103</sup>*Id.*

<sup>104</sup>See Appendix, Ex. 7 (Letter from Counsel to Mark Meadows to Chairman THOMPSON, Nov. 26, 2021), at p. 2.

<sup>105</sup>See Appendix, Ex. 8 (Letter from Counsel to Mark Meadows to Chairman THOMPSON, Nov. 26, 2021), at p. 2.

<sup>106</sup>See Appendix, Ex. 9 (Letter from Chairman THOMPSON to Counsel to Mark Meadows, Nov. 28, 2021), at p. 1.

<sup>107</sup>*Id.*, at p. 2.

<sup>108</sup>*Id.*

<sup>109</sup>See Appendix, Ex. 10 (Letter from Counsel to Mark Meadows to Chairman THOMPSON, Dec. 3, 2021).

<sup>110</sup>See Appendix, Ex. 11 (Letter from Counsel to Mark Meadows to Chairman THOMPSON, Dec. 7, 2021).

<sup>111</sup>*McGrain*, 273 U.S. at 174 (“We are of opinion that the power of inquiry—with process to enforce it—is an essential and appropriate auxiliary to the legislative function.”); *Barenblatt v. United States*, 360 U.S. 109, 111 (1959) (“The scope of the power of inquiry, in short, is as penetrating and far-reaching as the potential power to enact and appropriate under the Constitution.”).

<sup>112</sup>*Watkins*, 354 U.S. at 187–88 (“It is unquestionably the duty of all citizens to cooperate with the Congress in its efforts to obtain the facts needed for intelligent legislative action.”); see also *Committee on the Judiciary v. Miers*, 558 F. Supp.2d 53, 99 (D.D.C. 2008) (“The Supreme Court has made it abundantly clear that compliance with a congressional subpoena is a legal requirement.”) (citing *United States v. Bryan*, 339 U.S. 323, 331 (1950)).

<sup>113</sup>*United States v. Bryan*, 339 U.S. 323, 331 (1950).

<sup>114</sup>*Nixon v. Administrator of General Services (GSA)*, 433 U.S. 425, 449 (1977) (internal quotes and citations omitted).

<sup>115</sup>See, e.g., Meadows, *The Chief’s Chief*; “Hannity,” Fox News, (Dec. 7, 2021), available at <https://video.foxnews.com/v/6285715473001#sp=show-clips>; “The Ingraham Angle,” Fox News, (Dec. 9, 2021), available at <https://www.foxnews.com/media/mark-meadows-potential-contempt-charges-january-6-committee>.

<sup>116</sup>Brief for Executive Branch Defendants, *Trump v. Thompson*, Case No. 21-5254, Doc. No. 1923461, at p. 28 (D.C. Cir. Nov. 22, 2021) (emphasis added).

<sup>117</sup>*Id.*, at p. 29 (emphasis in original).

<sup>118</sup>*Trump v. Thompson*, Case No. 1:21-cv-02769-TSC, Doc. No. 35, at p. 19 (D.D.C. Nov. 9, 2021) (citations and quotation marks omitted).

<sup>119</sup>See Appendix, Ex. 2.

<sup>120</sup>See Appendix, Ex. 3, at p. 2. White House Deputy Counsel has also made clear that the White House’s position has remained unchanged as of December 8, 2021.

<sup>121</sup>*Id.*, at p. 1.

<sup>122</sup>See Appendix, Ex. 2.

<sup>123</sup>See *Committee on the Judiciary v. McGahn*, 415 F. Supp.3d 148, 214 (D.D.C. 2019) (and subsequent history) (“To make the point as plain as possible, it is clear to this Court for the reasons explained above that, with respect to senior-level presidential aides, absolute immunity from compelled congressional process simply does not exist.”); *Committee on the Judiciary v. Miers*, 558 F. Supp.2d 53, 101 (D.D.C. 2008) (holding that White House counsel may not refuse to testify based on direction from the President that testimony will implicate executive privilege).

<sup>124</sup>*Id.*; see also Appendix, Ex. 2 (“I recognize, as your letter points out, that to date, the lower courts have not shared [OLC’s] view.”).

<sup>125</sup>Memorandum Opinion for the Counsel to the President, Office of Legal Counsel, *Testimonial Immunity Before Congress of the Former Counsel to the President*, 43 O.L.C. 1 at 1 (May 20, 2019); see also Memorandum Opinion for the Counsel to the President, Office of Legal Counsel, *Immunity of the Former Counsel to the President from Compelled Congressional Testimony*, 31 O.L.C. 191 at 193 (July 10, 2007) (“we conclude that Ms. Miers is immune from compelled congressional testimony about matters . . . that arose during her tenure as Counsel to the President

and that relate to her official duties in that capacity” (emphasis added)).

<sup>126</sup>*Nixon v. GSA*, 433 U.S. at 449.

<sup>127</sup>*Id.*

<sup>128</sup>See *Espy*, 121 F.3d at 752 (“the privilege only applies to communications . . . in the course of performing their function of advising the President on official government matters”); cf. *In re Lindsey*, 148 F.3d 1100, 1106 (D.C. Cir. 1998) (Deputy White House Counsel’s “advice [to the President] on political, strategic, or policy issues, valuable as it may have been, would not be shielded from disclosure by the attorney-client privilege”).

<sup>129</sup>See Appendix, Ex. 2.

<sup>130</sup>See Appendix, Ex. 11, at p. 2.

<sup>131</sup>See Appendix, Ex. 2.

<sup>132</sup>*U.S. v. Nixon*, 418 U.S. 683, 705–06 (1974).

<sup>133</sup>*Nixon v. GSA*, 433 U.S. at 455 (“But given the safeguards built into the Act to prevent disclosure of such materials and the minimal nature of the intrusion into the confidentiality of the Presidency, we believe that the claims of Presidential privilege clearly must yield to the important congressional purposes of preserving the materials and maintaining access to them for lawful governmental and historical purposes.”).

<sup>134</sup>See, e.g., Transcript, “The Ingraham Angle,” Fox News, (Feb. 11, 2021), available at <https://www.foxnews.com/transcript/biden-warns-china-could-eat-our-lunch-after-phone-call-with-xi>; Transcript, “Hannity,” Fox News, (Feb. 12, 2021), available at <https://www.foxnews.com/transcript/new-yorker-who-lost-mother-in-law-in-nursing-home-blasts-disgrace-cuomo>; Transcript, “Hannity,” Fox News, (Dec. 7, 2021), available at <https://video.foxnews.com/v/6285715473001#sp=show-clips>; Transcript, “The Ingraham Angle,” Fox News, (Dec. 9, 2021), available at <https://www.foxnews.com/media/mark-meadows-potential-contempt-charges-january-6-committee>.

<sup>135</sup>Meadows, *The Chief’s Chief*, at p. 259.

<sup>136</sup>See, e.g., *Espy*, 121 F.3d at 741–42 (discussing waiver and concluding that “the White House has waived its claims of [executive] privilege in regard to the specific documents that it voluntarily revealed to third parties outside the White House”).

<sup>137</sup>*Eastland v. United States Servicemen’s Fund*, 421 U.S. 491, 505, 515 (1975).

<sup>138</sup>See *supra*. The prison term for this offense makes it a Class A misdemeanor. 18 U.S.C. § 3559(a)(6). By that classification, the penalty for contempt of Congress specified in 2 U.S.C. § 192 increased from \$1,000 to \$100,000. 18 U.S.C. § 3571(b)(5).

<sup>139</sup>*Quinn v. United States*, 349 U.S. 155, 165 (1955).

<sup>140</sup>*Sinclair v. United States*, 279 U.S. 263, 299 (1929); see also *In re Chapman*, 166 U.S. 661, 672 (1897) (“deliberately refusing to answer questions pertinent [to a matter properly under consideration by Congress] shall be a misdemeanor against the United States”); *Licavoli v. United States*, 294 F.2d 207, 209 (D.C. Cir. 1961) (“[W]illfully means merely a deliberate intention; an evil motive is not a necessary part of the intent thus required.”).

<sup>141</sup>See 2 U.S.C. § 192.

<sup>142</sup>Mary Papenfuss, “Watch Mark Meadows Slam Official Who ‘Stonewalled’ Subpoenas from GOP Congress,” Yahoo News, (Nov. 14, 2021), available at <https://news.yahoo.com/watch-mark-meadows-slam-official-001107830.html> (containing video clip of then-Rep. Mark Meadows criticizing the Deputy Attorney General for ignoring a subpoena); Tweet, @MarkMeadows (July 25, 2018 at 7:01 p.m.) (“I just filed a resolution with @Jim Jordan and several colleagues to impeach Rod Rosenstein. The DOJ has continued to hide information from Congress and repeatedly obstructed oversight—even defying multiple Congressional subpoenas.”); “Non-Profit Organizations and Politics,” Hearing of the Subcommittee on Government Operations, U.S. House Committee on Oversight and Government Reform, (December 13, 2018), (at which then-Chairman Meadows chided the Department of Justice for declining to make available as a witness the prosecutor appointed to investigate alleged wrongdoing by the Clinton Foundation), available at <https://www.c-span.org/video/?455872-1/profit-organizations-politics>.

<sup>143</sup>See, e.g., “White House Office of Political Affairs: Is Supporting Candidates and Campaign Fund-Raising an Appropriate Use of a Government Office?” Hearing of the Committee on Oversight and Government Reform, U.S. House of Representatives, (July 16, 2014), (at which Chairman Darrell Issa noted the House Oversight Committee in 2007 had obtained testimony of 18 Bush administration political appointees included White House political directors; and at which Rep. Meadows was present); see also “Presidential Advisers’ Testimony before Congressional Committees: An Overview,” Congressional Research Service, (RL31351, Apr. 10, 2007).

<sup>144</sup>“Clinton Aides Testify They Opposed Rich Pardon,” *New York Times*, (Mar. 1, 2001), available at

<https://www.nytimes.com/2001/03/01/national/clinton-aides-testify-they-opposed-rich-pardon.html>.



## APPENDIX

The official transcript that memorialized Mr. Meadows's failure to appear at his November 12, 2021, deposition as ordered by subpoena, along with exhibits included in that record, is as follows:

SELECT COMMITTEE TO INVESTIGATE THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC

DEPOSITION OF: MARK MEADOWS (NO-SHOW)

FRIDAY, NOVEMBER 12, 2021

WASHINGTON, DC

The deposition in the above matter was held in \* \* \* \* commencing at 10:00 a.m.

APPEARANCES:

FOR THE SELECT COMMITTEE TO INVESTIGATE THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

\* \* \* \* \*  
\* \* \* \*, \* \* \* \*  
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\* \* \* \*, \* \* \* \*  
\* \* \* \*, \* \* \* \*

\* \* \* \*. Good morning. We are on the record.

Today is November 12th, 2021, the time is 10 a.m., and we are convened in \* \* \* \* for the deposition of Mark Meadows to be conducted by the House Select Committee to Investigate the January 6th Attack on the United States Capitol.

My name is \* \* \* \*. I am the designated select committee staff counsel for this proceeding. I'm accompanied by \* \* \* \*, deputy staff director and chief counsel to the select committee; \* \* \* \*, select committee staff counsel; \* \* \* \*, select committee staff counsel; \* \* \* \*, select committee parliamentarian.

And joining us virtually is \* \* \* \* and \* \* \* \*, who are select committee staff, as well as chief clerk to the select committee, \* \* \* \*.

For the record, it is now 10:01 a.m., and Mr. Meadows is not present. The person transcribing this proceeding is

the House stenographer and notary public authorized to administer oaths.

On September 23rd, 2021, Chairman Bennie THOMPSON issued a subpoena to Mr. Meadows, both to produce documents by October 7th, 2021, and to testify at a deposition on October 15th of 2021 at 10 a.m.

The subpoena is in connection with the select committees investigation into the facts, circumstances, and causes of the January 6th attack and issues relating to the peaceful transfer of power in order to identify and evaluate lessons learned and to recommend to the House and its relevant committees corrective laws, policies, procedures, rules, or regulations.

After Mr. Meadows retained counsel, who is George Terwilliger, III, the select committee agreed to postpone the subpoena deadlines to enable his counsel to understand the requests associated with the subpoena and work with Mr. Meadows.

Ultimately, by letter dated October 25th, 2021, the select committee set new deadlines to produce documents and appear for testimony. Mr. Meadows was required to produce documents by November 5th, 2021, and appear for testimony on November 12th, 2021.

By letters dated between October 25th and November 11th, the select committee engaged with counsel for Mr. Meadows. In the letters, the select committee addressed Mr. Meadows' claims of, among other things, absolute testimonial immunity and executive privilege.

In the letters, the select committee also instructed Mr. Meadows to assert his privilege claims in a privilege log for responsive documents and on a question by question basis at the deposition.

On November 10th, 2021, Mr. Meadows, through counsel, informed the select committee that he would not appear at today's deposition citing testimonial immunity and privileges. Specifically, counsel said that, quote, "Mr. Meadows cannot agree to appear at 10 a.m. Friday," end quote.

Following that letter, the White House Counsel's Office sent counsel for

Mr. Meadows a letter dated November 11th, indicating that the White House would not assert claims of testimonial immunity or executive privilege to prevent Mr. Meadows' testimony before the select committee.

Specifically, the letter states that President Biden, quote, "will not assert executive privilege with respect to your client's deposition testimony on these subjects, or any documents your client may possess that bear on them. For the same reasons underlying his decision on executive privilege, President Biden has determined that he will not assert immunity to preclude your client from testifying before the Select Committee," end quote.

The select committee then sent counsel for Mr. Meadows a final letter in light of the White House Counsel's Office's stated position. To date, the select committee has not received a response.

In the letters, the select committee informed Mr. Meadows, quote, "the Select Committee will view Mr. Meadows' failure to respond to the subpoena as willful non compliance. Such willful non compliance with the subpoena would force the Select Committee to consider invoking the contempt of Congress procedures in 2 U.S.C., sections 192 and section 194—which could result in a referral from the House to the Department of Justice for criminal charges—as well as the possibility of having a civil action to enforce the subpoena brought against Mr. Meadows in his personal capacity," end quote.

Mr. Meadows has not provided any documents or a privilege log, and Mr. Meadows has not appeared today to answer questions or assert privilege objections.

I will mark as exhibit 1 and enter into the record the select committee's subpoena to Mr. Meadows, included with which are the materials that accompanied the subpoena; namely, a letter from the chairman, a document schedule with accompanying production instructions, and a copy of the deposition rules.

**Exhibit 1 — Subpoena to Mark Meadows**

**SUBPOENA****BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE  
CONGRESS OF THE UNITED STATES OF AMERICA**

Mark Meadows

To \_\_\_\_\_

You are hereby commanded to be and appear before the  
Select Committee to Investigate the January 6th Attack on the United States Capitol

\_\_\_\_\_ of the House of Representatives of the United States at the place, date, and time specified below.

- ☒ to produce the things identified on the attached schedule touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: \_\_\_\_\_

Date: October 7, 2021Time: 10:00 a.m.

- ☒ to testify at a deposition touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: \_\_\_\_\_

Date: October 15, 2021Time: 2:00 p.m.

- ☐ to testify at a hearing touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: \_\_\_\_\_

Date: \_\_\_\_\_

Time: \_\_\_\_\_

To any authorized staff member or the United States Marshals Service

\_\_\_\_\_ to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at  
the city of Washington, D.C. this 23<sup>rd</sup> day of September, 2021

Attest

Clerk

  
Chairman or Authorized Member

**PROOF OF SERVICE**

Subpoena for Mark Meadows

c/o Scott Gost, attorney for Mr. MeadowsAddress [REDACTED]before the Select Committee to Investigate the January 6th Attack on the United States CapitolU.S. House of Representatives  
117th CongressServed by (print name) [REDACTED]Title [REDACTED]Manner of service Email to Attorney for Mr. Meadows,Scott Gost of Compass Legal Services [REDACTED]Date 9/23/2021Signature of Server [REDACTED]Address Longworth HOB, Washington, DC 20515 [REDACTED]Select Committee to Investigate the January 6 Attack

BENNIE G. THOMPSON, MISSISSIPPI  
CHAIRMAN

U.S. House of Representatives  
Washington, DC 20515

ZOE LOFGREN, CALIFORNIA  
ADAM B. SCHIFF, CALIFORNIA  
PETE AGUILAR, CALIFORNIA  
STEPHANIE N. MURPHY, FLORIDA  
JAMIE RASKIN, MARYLAND  
ELAINE G. LURIA, VIRGINIA  
LIZ CHENY, WYOMING  
ADAM KINZINGER, ILLINOIS



january6th.house.gov  
(202) 225-7800

**One Hundred Seventeenth Congress**

**Select Committee to Investigate the January 6th Attack on the United States Capitol**

September 23, 2021

The Honorable Mark R. Meadows  
c/o Mr. Scott Gast  
Compass Legal Services

Dear Mr. Meadows:

Pursuant to the authorities set forth in House Resolution 503 and the rules of the House of Representatives, the Select Committee to Investigate the January 6th Attack on the United States Capitol ("Select Committee") hereby transmits a subpoena that compels you to produce the documents set forth in the accompanying schedule by October 7, 2021, and to appear for a deposition on October 15, 2021.

The Select Committee is investigating the facts, circumstances, and causes of the January 6th attack and issues relating to the peaceful transfer of power, in order to identify and evaluate lessons learned and to recommend to the House and its relevant committees corrective laws, policies, procedures, rules, or regulations. The inquiry includes examination of how various individuals and entities coordinated their activities leading up to the events of January 6, 2021.

The investigation has revealed credible evidence of your involvement in events within the scope of the Select Committee's inquiry. You were the President's Chief of Staff and have critical information regarding many elements of our inquiry. It appears that you were with or in the vicinity of President Trump on January 6, had communications with the President and others on January 6 regarding events at the Capitol, and are a witness regarding activities of that day. Moreover, it has been reported that you were engaged in multiple elements of the planning and preparation of efforts to contest the presidential election and delay the counting of electoral votes. In addition, according to documents provided by the Department of Justice, while you were the President's Chief of Staff, you directly communicated with the highest officials at the Department of Justice requesting investigations into election fraud matters in several states.<sup>1</sup> We understand that in the weeks after the November 2020 election, you contacted several state officials to encourage investigation of allegations of election fraud, even after such allegations had been dismissed by state and federal courts, and after the Electoral College had met and voted on December 14, 2020.<sup>2</sup> Moreover, at least one press report indicates you were in communication with organizers of the January 6 rally, including Amy Kremer of Women for America First.<sup>3</sup>

<sup>1</sup> Documents on file with the Committee.

<sup>2</sup> Linda So, *Trump's Chief of Staff Could Face Scrutiny in Georgia Criminal Probe* (Reuters, March 19, 2021); Documents on file with the Committee.

<sup>3</sup> Joshua Kaplan & Joaquin Sapien, *New Details Suggest Senior Trump Aides Knew Jan. 6 Rally Could Get Chaotic*, PROPUBLICA (June 25, 2021), <https://www.propublica.org/article/new-details-suggest-senior-trump-aides-knew-jan-6-rally-could-get-chaotic>.

The Honorable Mark R. Meadows

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Accordingly, the Select Committee seeks both documents and your deposition testimony regarding these and other matters that are within the scope of the Select Committee's inquiry.

A copy of the rules governing Select Committee depositions, and document production definitions and instructions are attached. Please contact staff for the Select Committee at [REDACTED] to arrange for the production of documents.

Sincerely,

A handwritten signature in black ink, appearing to read "Bennie G. Thompson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Bennie G. Thompson  
Chairman

The Honorable Mark R. Meadows

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### SCHEDULE

In accordance with the attached Definitions and Instructions, you, Mr. Mark Meadows, are hereby required to produce, all documents and communications in your possession, custody, or control—including any such documents or communications stored or located on personal devices (e.g., personal computers, cellular phones, tablets, etc.), in personal or campaign accounts, and/or on personal or campaign applications (e.g., email accounts, contact lists, calendar entries, etc.)—referring or relating to the following items. If no date range is specified below, the applicable dates are for the time period April 1, 2020-present.

1. Communications referring or relating in any way to plans, efforts, or discussions regarding challenging, decertifying, overturning, or contesting the results of the 2020 Presidential election.
2. All documents and communications concerning the role of the Vice President as the Presiding Officer in the certification of the votes of the electoral college.
3. From November 3, 2020, through January 20, 2021, all documents and communications referring or relating to the 2020 election results sent or transmitted between White House officials and officials of state or local governments.
4. From November 3, 2020, through January 6, 2021, all documents and communications referring or relating to actual or potential court decisions, deliberations, or processes involving challenges to the 2020 Presidential election.
5. All recordings, transcripts, notes (including electronic and hand-written notes), summaries, memoranda of conversation, readouts, or other documents memorializing communications between you and President Trump and/or Members of Congress on January 6, 2021, relating or referring in any way to the attack on the Capitol.
6. All documents that refer or relate to efforts, plans, or attempts by President Trump to activate the National Guard on January 6, 2021.
7. From November 3, 2020, through January 19, 2021, all documents and communications concerning the resignation of any White House personnel or any politically appointed personnel of any Federal department or agency (including the resignation of any member of the President's Cabinet) and mentioning or referring (explicitly or implicitly) to the 2020 Presidential election or the events of January 6, 2021.
8. All documents and communications relating to planned protests, marches, public assemblies, rallies, or speeches in Washington, DC, on November 14, 2020, December 12, 2020, or January 5, 2021, or January 6, 2021.
9. All documents and communications related to security of the Capitol or other Federal facilities on January 5, 2021, and January 6, 2021.
10. From December 1, 2020, through January 20, 2021, any documents and communications involving White House personnel and any Member of Congress, referring or relating to (a) civil unrest, violence, and/or attacks at the Capitol; (b) challenging, overturning, or questioning the validity of the 2020 election results; (c) the counting of the electoral college vote on January 6, 2021; or (d) appealing or challenging the decisions of courts related to the 2020 Presidential election.



The Honorable Mark R. Meadows

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11. All documents and communications related to social media information monitored, gathered, reviewed, shared, or analyzed by White House personnel on January 6, 2021.
12. All documents and communications related to any plan for the President to march or walk to the Capitol on January 6, 2021. This request includes any such documents or communications related to a decision not to march or walk to the Capitol on January 6, 2021.
13. From November 3, 2020, to January 20, 2021, all documents and communications reporting, summarizing, or detailing the voting returns and election results of the 2020 Presidential election.
14. All documents and communications related to Donald Trump's response or reaction to the election results of the 2020 Presidential election, including but not limited to any planned public remarks.
15. All documents and communications regarding a November 9, 2020, memorandum from Attorney General William Barr concerning investigation of voter fraud allegations.
16. From November 3, 2020, through January 20, 2021, all documents provided to you or Donald Trump reviewing, assessing, or reporting on the security of election systems in the United States.
17. From November 3, 2020, through January 20, 2021, all documents and communications provided to Donald Trump regarding purported election irregularities, election-related fraud, or other election-related malfeasance.
18. From April 1, 2020, through January 20, 2021, all documents and communications provided to you or Donald Trump referring to a stolen election, stealing the election, or a "rigged" election.
19. From November 3, 2020, through January 20, 2021, all documents and communications related to the Twenty-Fifth Amendment to the U.S. Constitution.
20. Any documents and communications relating to instructions to stop or delay preparation for the transition of administrations.
21. All communications between White House personnel and General Services Administration (GSA) Administrator Emily Murphy or other GSA officials relating to "ascertainment" under the Presidential Transition Act. This includes but is not limited to communications discussing the recognition of Joseph Biden as the winner of the 2020 Presidential election.
22. All documents and communications concerning the potential invocation of the Insurrection Act.
23. From November 3, 2020, through January 20, 2021, all documents and communications related to martial law.
24. All documents and communications concerning the use of Federal law enforcement or military personnel during voting or vote counting in the 2020 Presidential election.
25. Any documents and communications relating to foreign influence in the United States 2020 Presidential election through social media narratives and disinformation.
26. All documents and communications related to the January 3, 2021, letter from ten former Defense Secretaries warning of use of the military in election disputes.

The Honorable Mark R. Meadows

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27. All documents and communications to or from the United States Secret Service concerning individuals in attendance at the January 6 rally in body armor, ballistic helmets, radio equipment, and “military grade” backpacks.

**DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS**

1. In complying with this request, produce all responsive documents, regardless of classification level, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Select Committee to Investigate the January 6th Attack on the United States Capitol ("Committee").
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The Committee's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. With specific reference to classified material, you will coordinate with the Committee's Security Officer to arrange for the appropriate transfer of such information to the Committee. This includes, but is not necessarily limited to: a) identifying the classification level of the responsive document(s); and b) coordinating for the appropriate transfer of any classified responsive document(s).
5. Electronic document productions should be prepared according to the following standards:
  - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
  - b. All electronic documents produced to the Committee should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

6. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.
7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
11. In accordance with 5 U.S.C. § 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.
12. Pursuant to 5 U.S.C. § 552a(b)(9), the Privacy Act shall not be a basis for withholding information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.
15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
16. If a date or other descriptive detail set forth in this request referring to a document

is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

17. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
18. All documents shall be Bates-stamped sequentially and produced sequentially.
19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and  
(2) all documents located during the search that are responsive have been produced to the Committee.

### **Definitions**

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.
3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.
4. The term “including” shall be construed broadly to mean “including, but not limited to.”
5. The term “Company” means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.
6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.
7. The term “related to” or “referring or relating to,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.
8. The term “employee” means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, assignee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.
9. The term “individual” means all natural persons and all persons or entities acting on their behalf.

January 4, 2021

CONGRESSIONAL RECORD—HOUSE

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health, safety, and well-being of others present in the Chamber and surrounding areas. Members and staff will not be permitted to enter the Hall of the House without wearing a mask. Masks will be available at the entry points for any Member who forgets to bring one. The Chair views the failure to wear a mask as a serious breach of decorum. The Sergeant-at-Arms is directed to enforce this policy. Based upon the health and safety guidance from the attending physician and the Sergeant-at-Arms, the Chair would further advise that all Members should leave the Chamber promptly after casting their votes. Furthermore, Members should avoid congregating in the rooms leading to the Chamber, including the Speaker's lobby. The Chair will continue the practice of providing small groups of Members with a minimum of 5 minutes within which to cast their votes. Members are encouraged to vote with their previously assigned group. After voting, Members must clear the Chamber to allow the next group a safe and sufficient opportunity to vote. It is essential for the health and safety of Members, staff, and the U.S. Capitol Police to consistently practice social distancing and to ensure that a safe capacity be maintained in the Chamber at all times. To that end, the Chair appreciates the cooperation of Members and staff in preserving order and decorum in the Chamber and in displaying respect and safety for one another by wearing a mask and practicing social distancing. All announced policies, including those addressing decorum in debate and the conduct of votes by electronic device, shall be carried out in harmony with this policy during the pendency of a covered period.

#### 117TH CONGRESS REGULATIONS FOR USE OF DEPOSITION AUTHORITY

COMMITTEE ON RULES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 4, 2021.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

MADAM SPEAKER. Pursuant to section 3(b) of House Resolution 8, 117th Congress, I hereby submit the following regulations regarding the conduct of depositions by committee and select committee counsel for printing in the Congressional Record.

Sincerely,

JAMES P. MCGOVERN,  
Chairman, Committee on Rules  
REGULATIONS FOR THE USE OF DEPOSITION AUTHORITY

1. Notices for the taking of depositions shall specify the date, time, and place of examination. Depositions shall be taken under oath administered by a member or a person otherwise authorized to administer oaths. Depositions may continue from day to day.

2. Consultation with the ranking minority member shall include three days' notice before any deposition is taken. All members of the committee shall also receive three days' written notice that a deposition will be taken, except in exigent circumstances. For purposes of these procedures, a day shall not include Saturdays, Sundays, or legal holidays except when the House is in session on such a day.

3. Witnesses may be accompanied at a deposition by personal, nongovernmental counsel to advise them of their rights. Only members, committee staff designated by the chair or ranking minority member, an official reporter, the witness, and the witness's counsel are permitted to attend. Observers or counsel for other persons, including counsel for government agencies, may not attend

4. The chair of the committee noticing the deposition may designate that deposition as part of a joint investigation between committees, and in that case, provide notice to the members of the committees. If such a designation is made, the chair and ranking minority member of the additional committee(s) may designate committee staff to attend pursuant to regulation 3. Members and designated staff of the committees may attend and ask questions as set forth below.

5. A deposition shall be conducted by any member or committee counsel designated by the chair or ranking minority member of the Committee that noticed the deposition. When depositions are conducted by committee counsel, there shall be no more than two committee counsel permitted to question a witness per round. One of the committee counsel shall be designated by the chair and the other by the ranking minority member per round.

6. Deposition questions shall be propounded in rounds. The length of each round shall not exceed 60 minutes per side, and shall provide equal time to the majority and the minority. In each round, the member(s) or committee counsel designated by the chair shall ask questions first, and the member(s) or committee counsel designated by the ranking minority member shall ask questions second.

7. Objections must be stated concisely and in a non-argumentative and non-suggestive manner. A witness's counsel may not instruct a witness to refuse to answer a question, except to preserve a privilege. In the event of professional, ethical, or other misconduct by the witness's counsel during the deposition, the Committee may take any appropriate disciplinary action. The witness may refuse to answer a question only to preserve a privilege. When the witness has refused to answer a question to preserve a privilege, members or staff may (i) proceed with the deposition, or (ii) either at that time or at a subsequent time, seek a ruling from the Chair either by telephone or otherwise. If the Chair overrules any such objection and thereby orders a witness to answer any question to which an objection was lodged, the witness shall be ordered to answer. If a member of the committee chooses to appeal the ruling of the chair, such appeal must be made within three days, in writing, and shall be preserved for committee consideration. The Committee's ruling on appeal shall be filed with the clerk of the Committee and shall be provided to the members and witness no less than three days before the reconvened deposition. A deponent who refuses to answer a question after being directed to answer by the chair may be subject to sanction, except that no sanctions may be imposed if the ruling of the chair is reversed by the committee on appeal.

8. The Committee chair shall ensure that the testimony is either transcribed or electronically recorded or both. If a witness's testimony is transcribed, the witness or the witness's counsel shall be afforded an opportunity to review a copy. No later than five days after the witness has been notified of the opportunity to review the transcript, the witness may submit suggested changes to the chair. Committee staff may make any typographical and technical changes. Substantive changes, modifications, clarifications, or amendments to the deposition transcript submitted by the witness must be accompanied by a letter signed by the witness requesting the changes and a statement of the witness's reasons for each proposed change. Any substantive changes, modifications, clarifications, or amendments shall be included as an appendix to the transcript conditioned upon the witness signing the transcript.

9. The individual administering the oath, if other than a member, shall certify on the transcript that the witness was duly sworn. The transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall be filed, together with any electronic recording, with the clerk of the committee in Washington, DC. Depositions shall be considered to have been taken in Washington, DC, as well as the location actually taken once filed there with the clerk of the committee for the committee's use. The chair and the ranking minority member shall be provided with a copy of the transcripts of the deposition at the same time.

10. The chair and ranking minority member shall consult regarding the release of deposition testimony, transcripts, or recordings, and portions thereof. If either objects in writing to a proposed release of a deposition testimony, transcript, or recording, or a portion thereof, the matter shall be promptly referred to the committee for resolution.

11. A witness shall not be required to testify unless the witness has been provided with a copy of section 3(b) of H. Res. 8, 117th Congress, and these regulations.

#### REMOTE COMMITTEE PROCEEDINGS REGULATIONS PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

COMMITTEE ON RULES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 4, 2021.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

MADAM SPEAKER. Pursuant to section 3(a) of House Resolution 8, 117th Congress, I hereby submit the following regulations regarding remote committee proceedings for printing in the Congressional Record.

Sincerely,

JAMES P. MCGOVERN,  
Chairman,  
Committee on Rules.

#### REMOTE COMMITTEE PROCEEDINGS REGULATIONS PURSUANT TO HOUSE RESOLUTION 8

##### A. PRESENCE AND VOTING

1. Members participating remotely in a committee proceeding must be visible on the software platform's video function to be considered in attendance and to participate unless connectivity issues or other technical problems render the member unable to fully participate on camera (except as provided in regulations A.2 and A.3).

2. The exception in regulation A.1 for connectivity issues or other technical problems does not apply if a point of order has been made that a quorum is not present. Members participating remotely must be visible on the software platform's video function in order to be counted for the purpose of establishing a quorum.

3. The exception in regulation A.1 for connectivity issues or other technical problems does not apply during a vote. Members participating remotely must be visible on the software platform's video function in order to vote.

4. Members participating remotely off-camera due to connectivity issues or other technical problems pursuant to regulation A.1 must inform committee majority and minority staff either directly or through staff.

5. The chair shall make a good faith effort to provide every member experiencing connectivity issues an opportunity to participate fully in the proceedings, subject to regulations A.2 and A.3.



\* \* \* \*. I will mark as exhibit 2 and enter into the record a series of letters and emails exchanged between the select committee and counsel for Mr. Meadows. The records include email service of the subpoena by \* \* \* \*, which Mr. Scott Gast accepted on Mr. Meadows' behalf on September 23rd, 2021.

The records in exhibit 2 also include the letters and emails between counsel for the select committee and Mr. George Terwilliger, which I described moments ago. And, specifically, they

are a letter from George Terwilliger to the select committee on October 7th; an email from George Terwilliger to the select committee on October 13th; letters provided by George Terwilliger to the select committee, one of which is a letter from him to the White House Counsel's Office dated October 11th, 2021, and the other is a letter to George Terwilliger dated October 6th from Mr. Justin Clark, as counsel to former President Trump; a letter from the select committee to George Terwilliger on October 25th; two letters from

George Terwilliger to the select committee on November 3rd; a letter from the select committee to George Terwilliger on November 5th; a letter from George Terwilliger to the select committee on November 8th; a letter from the select committee to George Terwilliger on November 9th; a letter from George Terwilliger to the select committee on November 10th; and a letter from the select committee to George Terwilliger on November 11th.

**Exhibit 2 — Various Correspondence**

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Wednesday, September 29, 2021 11:00 AM  
**To:** [REDACTED]  
**Subject:** FW: Subpoena to Mr. Meadows

**From:** Scott Gast <[REDACTED]>  
**Sent:** Thursday, September 23, 2021 8:38 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Re: Subpoena to Mr. Meadows

[REDACTED]

I am confirming receipt of the subpoena to Mr. Meadows.

For privacy reasons, we would ask that the address used on the proof of service document be changed to the address for Compass Legal Services or otherwise redacted. I would appreciate it if you would confirm whether that is possible.

Thank you,  
Scott Gast

Scott Gast  
Compass Legal Services, Inc.  
[REDACTED]

On Thu, Sep 23, 2021 at 6:32 PM [REDACTED] wrote:

Dear Mr. Gast,

We appreciate your confirmation today that you represent Mark Meadows and that you will accept service of a subpoena to Mr. Meadows on his behalf. I am following up to serve a subpoena to Mr. Meadows to produce documents and to provide testimony to the House Select Committee to Investigate the January 6<sup>th</sup> Attack on the United States Capitol. Attached is a copy of the subpoena, a letter from Select Committee Chairman Bennie Thompson, a document schedule with accompanying production instructions, and a copy of the deposition rules.

Please confirm that you have accepted this subpoena on Mr. Meadows's behalf.

Sincerely,



*Chief Counsel and Deputy Staff Director*

*Select Committee to Investigate the January 6<sup>th</sup> Attack on the United States Capital*

*U.S. House of Representatives*

McGuireWoods LLP

McGUIREWOODS

October 7, 2021

Honorable Bennie G. Thompson, Chairman  
Honorable Liz Cheney, Vice Chair  
Select Committee to Investigate the January 6th Attack on the United States Capitol  
U.S. House of Representatives

Re: Subpoenas Served on Honorable Mark R. Meadows

Dear Chair Thompson and Vice Chair Cheney:

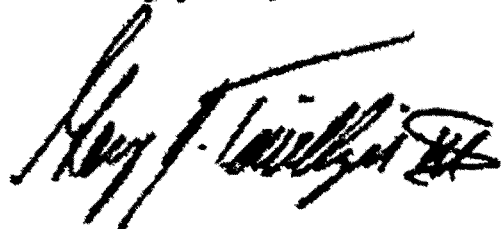
Please be advised that I have been retained to serve as counsel to Mr. Meadows in connection with the January 6th Select Committee's investigation and specifically, Committee subpoenas served on Mr. Meadows.

Inasmuch as I was retained yesterday in this matter, please understand that my opportunity to, on behalf of my client, begin our cooperation with your investigation has been extremely limited. Nonetheless, I can inform the Committee of the following in response to the subpoena for production of documents with a return date of October 7, 2021. We believe that any documents responsive to that subpoena would not be in Mr. Meadows personal care, custody or control, but rather would be in the possession of the Archivist of the United States pursuant to the Presidential Records Act of 1978, 44 U.S.C. §§ 2201-2207. Despite that belief, we are undertaking due diligence to ascertain whether Mr. Meadows is in personal possession of any responsive documents and will report further to the Committee in that regard as soon as we have any pertinent and/or definitive information.

As to the subpoena for testimony with a return date of October 15, 2021, I anticipate being in touch forthwith with the Committee's investigative staff in that regard.

Select Committee to Investigate the January 6th Attack on the United States Capitol  
October 7, 2021  
Page 2

Sincerely yours,

A handwritten signature in black ink, appearing to read "George J. Terwilliger III". The signature is stylized with a large, sweeping initial "G" and a long, horizontal stroke extending to the right.

George J. Terwilliger III

cc:



**From:** Terwilliger, George J. III [REDACTED]  
**Sent:** Wednesday, October 13, 2021 10:17 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Subpoenas Served on Honorable Mark R. Meadows

[REDACTED]

Thank you for speaking yesterday about the Select Committee's subpoena to Mr. Meadows. Consistent with your request, I wanted to get back to you promptly about the October 15<sup>th</sup> return date for testimony.

As you know we are facing the potential for conflicting directions from former President Trump and President Biden as to preservation of privileges concerning senior presidential advisors and communication by same in that role. We are now scheduled to discuss privilege issues with the White Counsel's office on Thursday, most likely in the afternoon.

In addition, after considering the topics you outlined yesterday, it is not clear to us that, in whole or part, relevant privileges would not attach to Mr. Meadows testimony as to those subject matters. We are, however, going to consider further those subject matters and may be able to proffer information concerning knowledge or lack of knowledge as to aspects of some of those subjects that you may want to consider in deciding if further pursuing testimony from Mr. Meadows as to such matters would be productive, privilege considerations notwithstanding.

Thus, I am not currently in a position to either confirm that Mr. Meadows can testify or to state at this point that he cannot do so. What is clear, though, is that as a practical matter, I could not advise him under these circumstances to commit to testifying on October 15.

Also, at this point we have asked the White House Counsel for access to documents that may be relevant to Mr. Meadows potential testimony that have been released to the Committee by the Archivist per instructions of the White House Counsel. Since Mr. Meadows has not been consulted about any such production of potentially privileged documents arising from his tenure as the former President's Chief of Staff, we are unaware if any have actually been produced. I would respectfully extend our request for access to any such documents to the Committee as well. As you know so well, the testimony of any witness would be far more productive if afforded, as per standard practice, access to documents relevant to the witness's testimony.

We are, of course, during our utmost to properly respect the Select Committee's subpoena and working diligently to address the various issues it raises.

We will continue to give this matter prompt and close attention and appreciate your willingness to work with us.

Regards,

George Terwilliger  
Counsel for Mr. Meadows

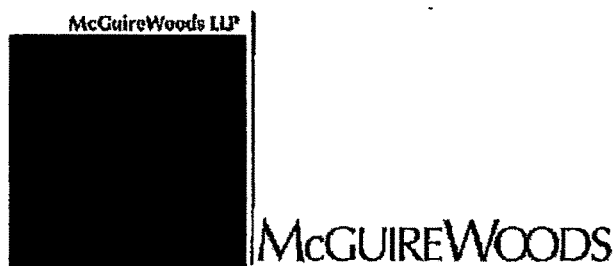
**George J. Terwilliger III**  
Partner  
[REDACTED]





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*This e-mail from McGuireWoods may contain confidential or privileged information. If you are not the intended recipient, please advise by return e-mail and delete immediately without reading or forwarding to others.*



October 11, 2021

Honorable Dana A. Remus  
Counsel to the President  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Re: Congressional Subpoena to Former White House Chief of Staff Mark R. Meadows

Dear Ms. Remus:

I write on behalf of my client, Mark R. Meadows, regarding a subpoena he recently received from the Select Committee to Investigate the January 6th Attack on the United States Capitol of the U.S. House of Representatives. While now a private citizen, Mr. Meadows served as White House Chief of Staff under President Donald J. Trump during the period that is the focus of the Select Committee's investigation. I write now because, as detailed below, Presidents and Presidential Administrations of both parties have long maintained the position that Congress cannot compel senior advisors to the President to testify or to produce records of their communications with and on behalf of the President. The Select Committee's subpoena to Mr. Meadows threatens these important principles which safeguard the separation of powers enshrined in the U.S. Constitution.

The Select Committee's subpoena, which Mr. Meadows received on September 23, 2021, seeks both records and testimony regarding Mr. Meadows's tenure as White House Chief of Staff, including his communications with the President of the United States and other senior Executive Branch officials. A copy of the subpoena is attached. Mr. Meadows also received a letter, through counsel, on October 6, 2021, from an attorney for President Trump regarding the subpoena. A copy of the letter is attached as well.

Mr. Meadows has profound respect both for the Congress and for the Presidency as integral parts of the Federal Government established under the U.S. Constitution. He served four terms in the U.S. House of Representatives, representing North Carolina's 11th District, before serving as White House Chief of Staff. He is committed both to fulfilling his legal obligations and to protecting the balance of power that underpins our American system of government.

Honorable Dana A. Remus  
October 11, 2021  
Page 2

I am therefore writing to you in hopes of clarifying information we have seen in public reports regarding President Biden's position on the Select Committee's subpoenas (which include subpoenas to other individuals from both inside and outside the Executive Branch) and to request the opportunity to discuss these important matters with you.

### ***Executive Branch Precedent***

As you know, Presidential Administrations of both parties have consistently maintained that privileged communications within the Executive Branch are immune from congressional subpoena. *See, e.g., Assertion of Executive Privilege Over Deliberative Materials Regarding Inclusion of Citizenship Question on 2020 Census Questionnaire*, O.L.C. slip. op. (June 11, 2019) (Atty. Gen. William P. Barr); *Assertion of Executive Privilege Over Documents Generated in Response to Congressional Investigation into Operation Fast and Furious*, 36 Op. O.L.C. 1 (2012) (Atty. Gen. Eric H. Holder, Jr.); *Assertion of Executive Privilege Concerning Special Counsel's Interviews of the Vice President and Senior White House Staff*, 32 Op. O.L.C. 7 (2008) (Atty. Gen. Michael B. Mukasey); *Assertion of Executive Privilege Regarding White House Counsel's Office Documents*, 20 Op. O.L.C. 2 (1996) (Atty. Gen. Janet Reno). Among other things, this position guards against "the chilling effect that compliance with [a congressional] subpoena would have on future White House deliberations." 32 Op. O.L.C. at 13.

Considering this longstanding, bi-partisan tradition and its importance to the effective functioning of the Executive Branch, we were surprised to hear reports that you had directed the production of privileged White House documents without consulting the officials from whom they originated. Of course, mistaken media reports would not be unprecedented. We also understand that not all recipients of the Select Committee's subpoenas may be similarly situated to Mr. Meadows. We therefore respectfully ask for you to clarify whether you have directed the Archivist to produce privileged materials arising from Mr. Meadows' tenure as Chief of Staff to Congress, and if so, to clarify the scope of that directive. We also ask that, at an appropriate time and subject to appropriate conditions, you make any such production available to Mr. Meadows and to us as his counsel for the limited purpose of responding to the Select Committee's subpoena.

### ***Document Production***

In response to the subpoena, we informed the Select Committee on October 7, 2021, of our belief that all the potentially responsive records from Mr. Meadows' tenure as Chief of Staff would be in the custody and control of the Archivist of the United States, consistent with the Presidential Records Act of 1978, 44 U.S.C. §§ 2201–07. We also expressed our intention to take appropriate steps to confirm that belief. On October 8, 2021, multiple media outlets reported that you had already instructed the Archivist of the United States to produce responsive materials to the Select

Honorable Dana A. Remus

October 11, 2021

Page 3

Committee without any withholding or redaction based on executive privilege.<sup>1</sup> Mr. Meadows recognizes that, as a public servant, he created records belonging to the United States and not to him personally. He asserts no personal stake in the disposition of these records. But as former White House Chief of Staff, he also wants to ensure that the institution of the Presidency is protected and that the long-standing traditions which protect its operations are not traded away for political expediency.

### *Testimony*

Aside from its request for documents, the Select Committee has also sought to compel testimony from Mr. Meadows. We believe that, consistent with Executive Branch practice, Mr. Meadows is immune from being compelled to testify before Congress regarding his service as White House Chief of Staff.

Long-standing Executive Branch tradition recognizes that senior White House officials enjoy an absolute immunity from compelled testimony before Congress. See Memorandum for All Heads of Offices, Divisions, Bureaus and Boards of the Department of Justice, from John M. Harmon, Acting Assistant Attorney General, Office of Legal Counsel, *Re: Executive Privilege* at 5 (May 23, 1977); Memorandum for John D. Ehrlichman, Assistant to the President for Domestic Affairs, from William H. Rehnquist, Assistant Attorney General, Office of Legal Counsel, *Re: Power of Congressional Committee to Compel Appearance or Testimony of "White House Staff"* (Feb. 5, 1971). This immunity continues to apply even after senior officials leave the White House. See, e.g., *Testimonial Immunity Before Congress of the Former Counsel to the President*, O.L.C. slip op., at \*2 (May 20, 2019) ("*Testimonial Immunity Before Congress*"); *Immunity of the Former Counsel to the President from Compelled Congressional Testimony*, 31 Op. O.L.C. 191, 192 (2007). Testimonial immunity is also "distinct from, and broader than, executive privilege" in that it "extends beyond answers to particular questions, precluding Congress from compelling even the appearance of a senior presidential adviser—as a function of the independence and autonomy of the President himself." *Testimonial Immunity Before Congress*, O.L.C. slip op. at \*4.

Notwithstanding the public reports about the Select Committee's document requests, we have no reason to believe that President Biden has purported to waive testimonial immunity for Mr. Meadows in connection with the Select Committee's subpoena. In the attached letter, former President Trump expressed his view that "Mr. Meadows is immune from compelled testimony on matters related to his official responsibilities." Ex. B (citing *Testimonial Immunity Before Congress*, O.L.C. slip op.). There are good reasons to preserve that immunity for the White House Chief of Staff, even if a decision has already been made to produce some otherwise privileged documents.

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<sup>1</sup> See, e.g., Nicholas Wu et al., *Biden White House waives executive privilege for initial set of Trump-era documents sought by Jan. 6 panel*, POLITICO (Oct. 81, 2021), available at <https://www.politico.com/news/2021/10/08/bannon-jan-6-subpoena-515681>.

Honorable Dana A. Remus  
October 11, 2021  
Page 4

The testimonial privilege vindicates the constitutional separation of powers. The President, as the head of a co-equal branch of government, stands on equal constitutional footing with the Congress. For Congress to compel an immediate Presidential advisor—who serves as “an extension of the President”—“to appear and testify would ‘promote a perception that the President is subordinate to Congress, contrary to the Constitution’s separation of governmental powers into equal and coordinate branches.’” *Testimonial Immunity Before Congress*, O.L.C. slip op. at \*4 (quoting *Immunity of the Assistant to the President and Director of the Office of Political Strategy and Outreach from Congressional Subpoena*, 38 Op. O.L.C. 5, 8 (2014) (“*Immunity of the Assistant to the President*”).

The testimonial privilege also protects the prerogative of current and future White House officials to provide the President with the frank and candid advice required to discharge faithfully the duties of the office. The Office of Legal Counsel emphasized this point in 2014 to explain why David Simas, Assistant to President Obama, was not required to testify in response to a subpoena from the House Committee on Oversight and Government Reform:

[A] congressional power to subpoena the President’s closest advisers to testify about matters that occur during the course of discharging their official duties would threaten Executive Branch confidentiality, which is necessary (among other things) to ensure that the President can obtain the type of sound and candid advice that is essential to the effective discharge of his constitutional duties.

*Immunity of the Assistant to the President*, 38 Op. O.L.C. at 8. That office noted the Supreme Court’s recognition in *United States v. Nixon*, 418 U.S. 683 (1974), of “the necessity for protection of the public interest in candid, objective, and even blunt or harsh opinions in presidential decisionmaking.” *Immunity of the Assistant to the President*, 38 Op. O.L.C. at 8 (quoting *Nixon*, 418 U.S. at 708).

Past Presidents have thus asserted privilege and testimonial immunity to protect senior officials from prior Administrations from opposite parties. See, e.g., Ellen Nakashima, *Bush Invokes Executive Privilege on Hill*, THE WASHINGTON POST (Dec. 14, 2001) (discussing assertion of privilege by President George W. Bush over materials from the Administration of President William J. Clinton), available at <https://www.washingtonpost.com/archive/politics/2001/12/14/bush-invokes-executive-privilege-on-hill/b05753f1-baf9-494b-ab52-33eb8ef7bd98/>.

We recognize that Congress has placed immense political pressure on the White House to waive executive privilege in connection with the Select Committee’s investigation, and that the Administration has already chosen to do so in some circumstances. It is precisely when the political pressure is at its strongest that the longstanding safeguards of the separation of powers become most important.

We respectfully request an opportunity to discuss these matters with you before any decision is made that would purport to require Mr. Meadows to act contrary to Executive Branch precedent.

Honorable Dana A. Remus

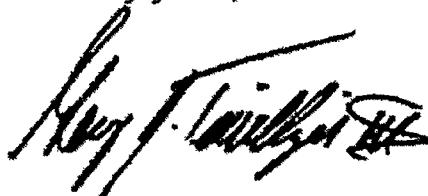
October 11, 2021

Page 5

\* \* \*

We appreciate your consideration of these important matters. We hope that you can clarify the record on the Select Committee's request for documents and afford us the opportunity to speak with you about the testimonial immunity that shields Mr. Meadows from the Select Committee's subpoena. We are happy to make ourselves available to meet with you at your convenience. In the meantime, please do not hesitate to reach out with any questions.

Sincerely yours,

A handwritten signature in black ink, appearing to read "George J. Terwilliger III". The signature is stylized with a large, sweeping initial "G" and "T".

George J. Terwilliger III

Counsel to Mr. Meadows

Enclosures

cc:

Chief Investigative Counsel

Select Committee to Investigate the January 6th Attack on the United States Capitol

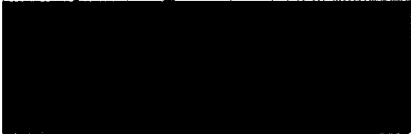
**ELECTIONS, LLC**

Attorneys at Law  
Justin R. Clark



October 6, 2021

Mr. Scott Gast  
Compass Legal Services




Dear Mr. Gast:

I write in reference to a subpoena, dated September 23, 2021, by the Select Committee to Investigate the January 6th Attack on the United States Capitol (the "Select Committee"), that was issued to your client Mark R. Meadows (the "Subpoena"). The Subpoena requests that Mr. Meadows produce documents by October 7, 2021, and appear for a deposition on October 15, 2021. While it is obvious that the Select Committee's obsession with President Trump is merely a partisan attempt to distract from the disastrous Biden administration (e.g., the embarrassing withdrawal from Afghanistan, the overwhelming flood of illegal immigrants crossing our southern border, and growing inflation), President Trump vigorously objects to the overbreadth and scope of these requests and believes they are a threat to the institution of the Presidency and the independence of the Executive Branch.

Through the Subpoena, the Select Committee seeks records and testimony purportedly related to the events of January 6th, 2021, including but not limited to information which is unquestionably protected from disclosure by the executive and other privileges, including among others the presidential communications, deliberative process, and attorney-client privileges. President Trump is prepared to defend these fundamental privileges in court. Furthermore, President Trump believes that Mr. Meadows is immune from compelled congressional testimony on matters related to his official responsibilities. *See Testimonial Immunity Before Congress of the Former Counsel to the President*, 43 Op. O.L.C. (May 20, 2019), available at <https://www.justice.gov/olc/opinions-main>.

Therefore, to the fullest extent permitted by law, President Trump instructs Mr. Meadows to: (a) where appropriate, invoke any immunities and privileges he may have from compelled testimony in response to the Subpoena; (b) not produce any documents concerning his official duties in response to the Subpoena; and (c) not provide any testimony concerning his official duties in response to the Subpoena.





Page 2

Thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions or would like to discuss.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a horizontal line.

Justin Clark  
*Counsel to President Trump*

BENNIE G. THOMPSON, MISSISSIPPI  
CHAIRMAN

ZOE LOFGREN, CALIFORNIA  
ADAM B. SCHIFF, CALIFORNIA  
PETE AGUILAR, CALIFORNIA  
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LIZ CHENEY, WYOMING  
ADAM KINZINGER, ILLINOIS



U.S. House of Representatives  
Washington, DC 20515

january6th.house.gov  
(202) 225-7800

## *One Hundred Seventeenth Congress*

### *Select Committee to Investigate the January 6th Attack on the United States Capitol*

October 25, 2021

Mr. George Terwilliger III  
McGuire Woods LLP

Dear Mr. Terwilliger,

The Select Committee to Investigate the January 6th Attack (“Select Committee”) is in receipt of your October 7, 2021, letter and your October 13, 2021, email and attached documents (the “correspondence”) regarding the September 23, 2021, subpoena for documents and testimony served on your client Mark R. Meadows (the “subpoena”). The Select Committee is also in receipt of your October 11, 2021, letter addressed to Counsel to the President Dana A. Remus (the “letter to the White House”). You have also had calls with Select Committee staff about the subpoena, the most recent of which occurred on October 20, 2021. Based on the correspondence, the letter to the White House, and calls, I understand that Mr. Meadows believes that, as a former advisor to President Donald Trump, he may be immune from testifying before the Select Committee. In addition, I understand that Mr. Meadows believes that, even if he is not immune from testifying, his testimony may nonetheless be covered by a claim of executive privilege.

Mr. Scott Gast accepted service of the subpoena on Mr. Meadows’s behalf on September 23, 2021. The subpoena demanded that Mr. Meadows produce documents by October 7 and appear for testimony by October 15. The requested documents and testimony relate directly to the inquiry being conducted by the Select Committee, serve a legitimate legislative purpose, and are within the scope of the authority expressly delegated to the Select Committee pursuant to House Resolution 503. In the letter accompanying the subpoena, the Select Committee set forth the basis for its determination that the documents and records sought by the subpoena and Mr. Meadows’s deposition testimony are of critical importance to the issues being investigated by the Select Committee.

Your correspondence to the Select Committee, calls, and letter to the White House have suggested Mr. Meadows’s belief in the potential existence of testimonial and subject-matter privileges. No such blanket testimonial immunity exists, and the Select Committee does not believe that executive privileges bar the Select Committee from legally obtaining any aspects of Mr. Meadows’s deposition testimony.

Mr. George Terwilliger III

Page 2

*First*, the Select Committee has not received any assertion, formal or otherwise, of any privilege from ex-President Trump with respect to Mr. Meadows's production of documents or appearance to provide testimony.<sup>1</sup> Even assuming that, as a former President, Mr. Trump is permitted to formally invoke executive privilege, he has not done so. The Select Committee is not aware of any legal authority, and your letter cites none, holding that a vague statement by somebody who is not a government official that an ex-President has an intention to assert a privilege absolves a subpoena recipient of his duty to comply.

*Second*, your correspondence, communications with Select Committee staff, and letter to the White House indicate that Mr. Trump "believes that Mr. Meadows is immune from compelled congressional testimony on matters related to his official responsibilities." Even setting aside the fact that the Select Committee is interested in questioning Mr. Meadows, in part, about actions that cannot be considered part of his "official responsibilities," Mr. Meadows is not permitted by law to assert the type of blanket testimonial immunity that Mr. Trump and your letter to the White House suggest. To the contrary, every court that has considered the absolute immunity Mr. Trump alludes to has rejected it. *See, e.g., Harlow v. Fitzgerald*, 457 U.S. 800 (1982); *Comm. on the Judiciary v. Miers*, 558 F. Supp. 2d 53, 106 (D.D.C. 2008) (rejecting former White House counsel's assertion of absolute immunity from compelled congressional process). Those cases make clear that even the most senior presidential advisors may not resist a congressional subpoena "based solely on their proximity to the President." *Miers* at 101 (citing *Harlow*, 457 U.S. at 810).<sup>2</sup> And, although your letter to the White House cites several Department of Justice Office of Legal Counsel ("OLC") opinions in which OLC insists that such immunity exists even after *Miers*, yet another judge has forcefully rejected that position *after* OLC's last memorandum opinion addressing absolute immunity. *See Comm. on Judiciary v. McGahn*, 415 F. Supp. 3d 148 (D.D.C. 2019) ("To make the point as plain as possible, it is clear to this Court ... that, with respect to senior-level presidential aides, absolute immunity from compelled congressional process simply does not exist.").

*Third*, your correspondence, communications with Select Committee staff, and letter to the White House indicate that Mr. Meadows also believes that his potential testimony would be protected as privileged communications within the executive branch. That is not the case. Executive privilege is a qualified privilege—not an absolute one—that may be invoked to prevent disclosure of communications with the President related to his official responsibilities, as well as deliberations about official responsibilities within the executive branch. With respect to Mr. Meadows, I understand that Select Committee staff has already discussed with you a non-exhaustive list of deposition topics that fall outside of any executive-privilege claim, including:

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<sup>1</sup> By civil complaint filed on October 19, 2021, in the United States District Court for the District of Columbia, Mr. Trump has formally alleged that executive privileges should prevent the National Archives from producing Mr. Trump's White House documents to the Select Committee. That lawsuit does not formally assert any privilege with respect to Mr. Meadows and does not seek any relief related to the subpoena served on Mr. Meadows.

<sup>2</sup> It is also worth noting that the court in *Miers* rejected the former White House Counsel's claim of absolute immunity from congressional testimony even though the sitting President had formally invoked executive privilege. *Id.* at 62.

Mr. George Terwilliger III

Page 3

communications and meetings involving people who did not work for the United States government; communications and meetings with members of Congress; Mr. Meadows's campaign-related activities; communications and meetings about topics for which the Department of Justice and the White House have expressly declined to assert executive privilege; and, topics about which Mr. Meadows has already spoken publicly. Mr. Meadows must comply with the subpoena to answer questions about those and other issues, and his apparent reliance on a categorical claim of executive privilege runs afoul of long-standing caselaw requiring that any claim of executive privilege be asserted narrowly and specifically. *See, e.g., In re Sealed Case (Espy)*, 121 F.3d 729 (D.C. Cir. 1997); *Comm. on Oversight & Gov't Reform v. Holder*, No. 12-cv-1332, 2014 WL 12662665, at \*2 (D.D.C. 2014) (rejecting a "blanket" executive-privilege claim over subpoenaed documents).

The Select Committee appreciates your ongoing willingness to discuss Mr. Meadows's appearance, and the Select Committee agreed to postpone the subpoena deadlines to give you and Mr. Meadows an opportunity to consult with the White House counsel's office to facilitate our discussion of this and other scoping issues. It now appears that Mr. Meadows may still believe that his appearance cannot be compelled and that his testimony is privileged. Given the impasse, the Select Committee must proceed and insist, pursuant to the subpoena, that Mr. Meadows produce all responsive documents by November 5, 2021, and appear for testimony on November 12, 2021. The Select Committee expects Mr. Meadows's production of documents and appearance for testimony on these dates. If there are specific questions at that deposition that you believe raise privilege issues, Mr. Meadows should state them at that time for the deposition record for the Select Committee's consideration and possible judicial review.

Please be advised that the Select Committee will view Mr. Meadows's failure to respond to the subpoena as willful non-compliance. Such willful non-compliance with the subpoena would force the Select Committee to consider invoking the contempt of Congress procedures in 2 U.S.C. §§ 192, 194—which could result in a referral from the House to the Department of Justice for criminal charges—as well as the possibility of having a civil action to enforce the subpoena brought against Mr. Meadows in his personal capacity.

Sincerely,

A handwritten signature in black ink, appearing to read "Bennie G. Thompson". The signature is fluid and cursive, with a large, stylized "B" and "T".

Bennie G. Thompson  
Chairman

McGuireWoods LLP

George J. Terwilliger III

McGUIREWOODS

November 3, 2021

VIA EMAIL

Honorable Bennie G. Thompson, Chairman  
Honorable Liz Cheney, Vice Chair  
Select Committee to Investigate the January 6th Attack on the United States Capital  
U.S. House of Representatives

Re: Subpoenas Served on Honorable Mark R. Meadows

Dear Chair Thompson and Vice Chair Cheney:

I write on behalf of Mr. Meadows in response to the request for production of documents in the Select Committee's subpoena. In your letter of October 25, 2021, you indicated that you were extending the return date for the production of documents to Friday, November 5, 2021.

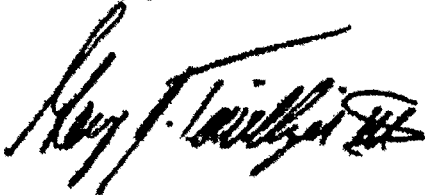
As I previously indicated in my letter of October 7, 2021, we believe that documents responsive to that subpoena are not in Mr. Meadows's personal custody or control, but rather are in the possession of the Archivist of the United States pursuant to the Presidential Records Act of 1978, 44 U.S.C. §§ 2201-2207. We understand that the Select Committee has separately requested those records from the Archivist and that production of those letters is a current subject of litigation in the U.S. District Court for the District of Columbia. *See Trump v. Thompson*, No. 1:21-cv-2769-TSC (D.D.C.). Mr. Meadows is not a party to that litigation, though we understand that at least some of the documents at issue are from his former records. To the extent that responsive documents reside with the Archivist, they are outside Mr. Meadows's custody and control, and he is therefore unable to produce them in response to the Select Committee's subpoena. We expect that the Select Committee will obtain any portions of Mr. Meadows's former records to which it may be entitled through its request to the Archivist, subject to any applicable rulings from the courts.

Select Committee to Investigate the January 6th Attack on the United States Capital  
November 3, 2021  
Page 2

As I further indicated in my October 7 letter, and as I have explained our process to the Select Committee's counsel again this week, we are diligently taking steps to confirm that Mr. Meadows does not retain custody and control over documents that are responsive to the Select Committee's request, including through review of personal e-mail accounts and electronic devices. To date, we have not identified any such documents and therefore have no documents to produce. If we do discover any responsive, non-privileged documents, however, we will be prepared to produce them.

To summarize, we are not aware at this time of any documents that are responsive to the Select Committee's subpoena and maintained in Mr. Meadows's custody or control. We therefore have no documents to produce to the Select Committee this Friday, November 5. We are, however, diligently taking steps to confirm that no such documents exist. And we agree that we would produce any responsive, non-privileged documents we might find. I would be happy to discuss these matters further with you or with the Select Committee's investigative staff.

Sincerely yours,

A handwritten signature in black ink, appearing to read "George J. Terwilliger III", with a stylized flourish at the end.

George J. Terwilliger III

cc:



McGuireWoods LLP

George J. Terwilliger III

McGUIREWOODS

November 3, 2021

VIA EMAIL

Honorable Bennie G. Thompson, Chairman  
Honorable Liz Cheney, Vice Chair  
Select Committee to Investigate the January 6th Attack on the United States Capital  
U.S. House of Representatives

Re: Subpoenas Served on Honorable Mark R. Meadows

Dear Chair Thompson and Vice Chair Cheney:

Thank you for your letter of October 25, 2021, and thanks to you and to the Select Committee for your willingness to engage with us on the important issues raised by the Select Committee's subpoena to former White House Chief of Staff Mark Meadows. As your letter recognizes, these issues have been the frequent subject of litigation and of conflicting views between Congress and the Executive.

One of the important themes coming out of that litigation, and out of over 200 years of conflict between the branches, is that efforts to reach mutual accommodations to resolve differences have been the norm. *See, e.g., Trump v. Mazars USA, LLP*, 140 S. Ct. 2019, 2029–31 (2020). Considering that history of engagement to find accommodation—which the courts obviously favor—the Select Committee's position, as expressed in your letter, is rather surprising, and indeed disappointing. The Select Committee apparently rejects each and every consideration raised in our correspondence with the Select Committee and with the White House Counsel that bears on whether and to what extent Mr. Meadows would be in a position to supply information to the Select Committee pursuant to its subpoena.

The purpose of this letter is to explore whether the Select Committee is willing to pursue some accommodation with Mr. Meadows that respects the position in which he finds himself and allows

## Select Committee to Investigate the January 6th Attack on the United States Capital

November 3, 2021

Page 2

the Committee to obtain information without abridging what Mr. Meadows believes in good faith to be his legal obligations arising from his tenure as White House Chief of Staff.

For context, former President Trump has directed Mr. Meadows, both in writing and orally, to maintain such privileges and immunities as apply to the demands of the Select Committee's subpoena. As you note in your letter, the former President has also filed a lawsuit challenging on various grounds the Select Committee's subpoena to the Archivist of the United States. While that lawsuit does not directly implicate the Select Committee's subpoena for Mr. Meadows's testimony, there is no reasonable doubt that the issues of privilege and valid legislative purpose raised in that lawsuit also bear on Mr. Meadows. Moreover, to date, and notwithstanding a specific inquiry through counsel to the Biden White House, Mr. Meadows has received no direction from the current President that contradicts or otherwise conflicts with the direction he has received from former President Trump.

Under these circumstances, it would be untenable for Mr. Meadows to decide unilaterally that he will waive privileges that not only protected his own work as a senior White House official but also protect current and future White House officials, who rely on executive privilege in giving their best, most candid advice to the President.

Thus, if we were forced to litigate whether Mr. Meadows must comply with the Select Committee's subpoena, we would of necessity assert executive privilege, among other challenges to the subpoena. That is especially necessary since, as mentioned above, your letter gives no indication of any willingness on the part of Select Committee to accommodate executive privilege or any of the other relevant considerations that inform Mr. Meadows's legal position.

In addition, the Select Committee's apparent unwillingness to pursue accommodation would compel Mr. Meadows to maintain his position, consistent with multiple opinions from a bipartisan group of Attorneys General, that senior White House aides cannot be compelled to testify before Congress in relation to their duties. I recognize, as your letter points out, that to date, the lower courts have not shared that view. But to our best knowledge, the Executive Branch has never retreated from that position, and of course, the Supreme Court has never had the opportunity to address it. What remains inescapable, in any event, is that compelling senior White House officials to testify before Congress has a chilling effect on the ability of senior aides, current and future, to communicate with and on behalf of the President they serve. For that reason, Mr. Meadows would resist being so compelled unless and until a court orders him to do otherwise, including after full appellate review.

Mr. Meadows is not resisting the Select Committee's subpoena to pick a fight or to hide unflattering information. To the contrary, it would be in his personal interest for members of the Select Committee and the public at large to understand the basic facts as to what occurred. For example, we anticipate that, if we were to be able to reach some accommodation with the Committee without vitiating privilege considerations, the Select Committee would learn that neither Mr. Meadows, nor to this knowledge anyone on the White House staff, had advanced knowledge of violent acts or a plan to infiltrate the Capitol Building, and that there was no delay

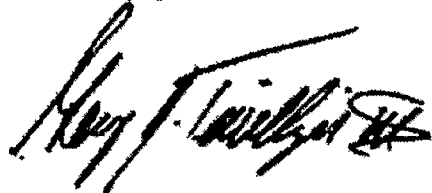


Select Committee to Investigate the January 6th Attack on the United States Capital  
November 3, 2021  
Page 3

when the Administration was called to help restore order. Mr. Meadows is acting in good faith to protect the privileges and institutional prerogatives of the Executive Branch which attach to his tenure at the White House, as one would expect from any responsible former Chief of Staff.

It is not unusual for Congress and executive officials to have competing views about Congress's authority and executive officials' privileges and immunities. As noted above, such disputes have been a common feature of this sort of episode for more than two centuries. But equally common has been a willingness of both sides to discuss and negotiate in good faith to determine whether an accommodation can be reached. In that spirit, Mr. Meadows is willing to explore with the Select Committee whether, outside the confines of the subpoena, an accommodation could be reached by which he might be able to answer, under agreed upon and appropriate circumstances, a limited set of questions that would further a valid legislative purpose within the scope of the Select Committee's inquiry.

Sincerely yours,



George J. Terwilliger III

cc:



BENNIE G. THOMPSON, MISSISSIPPI  
CHAIRMAN

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U.S. House of Representatives  
Washington, DC 20515

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## One Hundred Seventeenth Congress

### Select Committee to Investigate the January 6th Attack on the United States Capitol

November 5, 2021

Mr. George Terwilliger III  
McGuire Woods LLP



Dear Mr. Terwilliger,

The Select Committee to Investigate the January 6<sup>th</sup> Attack (“Select Committee”) is in receipt of your letters dated November 3, 2021, regarding the subpoena for documents and testimony served on your client, Mark R. Meadows (the “subpoena”). In your letter regarding deposition testimony, you suggest that Mr. Meadows maintains a “good faith” belief that he cannot appear before the Select Committee to answer any questions and, instead, proposes unspecified accommodations. In your letter regarding the production of documents, you said that there are “no documents to produce to the Select Committee” because you “are not aware at this time of any documents that are responsive to the Select Committee’s subpoena and maintained in Mr. Meadows’s custody or control.”

Per the Select Committee’s October 25, 2021 letter, the responsive date for Mr. Meadows to produce documents has been extended until November 5 and his deposition is scheduled for November 12. For the reasons that follow, the Select Committee cannot agree to further postponements.

*First*, regarding documents, you suggest that Mr. Meadows does not have any documents to produce, despite indicating, via telephone, earlier this week that you have gathered documents and continue to review them for responsiveness. If Mr. Meadows has responsive documents but believes that they are covered by an applicable privilege, please provide a privilege log that specifically identifies each document and each privilege that he believes applies so that the Select Committee can evaluate whether any additional actions are appropriate. As explained in the Select Committee’s October 25, 2021 letter, categorical claims of executive privilege are improper and Mr. Meadows must assert any claim of executive privilege narrowly and specifically. *See, e.g., In re Sealed Case (Espy)*, 121 F.3d 729 (D.C. Cir. 1997); *Comm. on Oversight & Gov’t Reform v. Holder*, No. 12-cv-1332, 2014 WL 12662665, at \*2 (D.D.C. Aug. 20, 2014) (rejecting a “blanket” executive-privilege claim over subpoenaed documents). We also note that the Select Committee has received information suggesting that Mr. Meadows regularly communicated by text and verbally on his private cell phone when conducting government and campaign business. We expect that a number of those communications are

Mr. George Terwilliger III  
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likely records covered and protected by the Presidential Records Act. We ask that you identify for us the current location of Mr. Meadows's cell phone and whether Mr. Meadows supplied his texts and other relevant cell phone records to the Archives.

*Second*, with respect to Mr. Meadows's deposition, the Select Committee appreciates your apparent willingness to seek an accommodation and have Mr. Meadows appear to testify before the Select Committee. To that end, we will provide further information about the topics we intend to develop with Mr. Meadows during the deposition. We have already identified some of those topics and articulated why they do not implicate executive privilege. *See* our October 25, 2021 letter.

After reviewing that letter and those topics, you indicated in a November 2 telephone conference with staff that Mr. Meadows may assert executive privilege with respect to even those areas and disagreed the Select Committee's position that those areas would be outside of any recognized privilege.

Despite this significant disagreement over the scope of executive privilege, we write today in a continued effort to reach an accommodation with Mr. Meadows. More specifically, we identify below the areas that we will seek to develop during Mr. Meadows' deposition. At present, the Select Committee plans to question Mr. Meadows about his knowledge, actions, and communications, including communications involving Mr. Trump and others, with respect to the following:

- (1) Messaging to or from the White House, Trump reelection campaign, party officials, and others about purported fraud, irregularities, or malfeasance in the November 2020 election. This includes, but is not limited to, Mr. Trump's and others frequent use of the "Stop the Steal" slogan, even after lawsuits, investigations, public reporting, discussions with agency heads, and internally created documents revealed that there had not been widespread election fraud.
- (2) White House officials' understanding of purported election-related fraud, irregularities, or malfeasance in the November 2020 election.
- (3) Efforts to pressure federal agencies, including the Department of Justice, to take actions to challenge the results of the presidential election, advance allegations of voter fraud, interfere with Congress's count of the Electoral College vote, or otherwise overturn President Biden's certified victory. This includes, but is not limited to, Mr. Trump's and others' efforts to use the Department of Justice to investigate alleged election-related conduct, file lawsuits, propose that state legislatures take election-related actions, or replace senior leadership. It also includes similar efforts at other agencies such as the Department of Homeland Security, the Department of Defense, and, among others, the Cybersecurity and Infrastructure Security Agency.

Mr. George Terwilliger III

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- (4) Efforts to pressure state and local officials and entities, including state attorneys general, state legislators, and state legislatures, to take actions to challenge the results of the presidential election, advance unsubstantiated allegations of voter fraud, interfere with Congress's count of the Electoral College vote, de-certify state election results, appoint alternate slates of electors, or otherwise overturn President Biden's certified victory. This includes, but is not limited to, an Oval Office meeting with legislators from Michigan, as well as a January 2, 2021 call with, among others, state officials, members of Congress, Mr. Trump, and Mr. Meadows.
- (5) Theories and strategies regarding Congress and the Vice President's (as President of the Senate) roles and responsibilities when counting the Electoral College vote. This includes, but is not limited to, the theories and/or understandings of John Eastman, Mark Martin, former Vice President Pence, and others.
- (6) Efforts to pressure former Vice President Pence, members of his staff, and members of Congress to delay or prevent certification of the Electoral College vote. This includes, but is not limited to, meetings between, or including, the former Vice President, Mr. Trump, aides, John Eastman, members of Congress, and others.
- (7) Campaign-related activities, including efforts to count, not count, or audit votes, as well as discussions about election-related matters with state and local officials. This includes, but is not limited to, Mr. Meadows' travel to Georgia to observe vote counting, as well as his or Mr. Trump's communications with officials and employees in the Georgia Secretary of State's Office. This also includes similar activities related to state and local officials in Michigan, Wisconsin, Nevada, Arizona, and Pennsylvania.
- (8) Meetings or other communications involving people who did not work for the United States government. This includes, but is not limited to, an Oval Office meeting on December 18, at which Mr. Trump, Michael Flynn, Patrick Byrne, and others discussed campaign-related steps that Mr. Trump purportedly could take to change the outcome of the November 2020 election and remain in office for a second term, such as seizing voting machines, litigating, and appointing a special counsel. It also includes communications with organizers of the January 6 rally like Amy Kremer of Women for America First.
- (9) Communications and meetings with members of Congress about the November 2020 election, purported election fraud, actual or proposed election-related litigation, and election-related rallies and/or protests. This includes, but is not limited to, a December 21, 2021 meeting involving Mr. Trump, members of his legal team, and members of the House and Senate, during which attendees discussed objecting to the November 2020 election's certified electoral college votes as part of an apparent fight "against mounting evidence of voter fraud."

Mr. George Terwilliger III

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- (10) Efforts by federal officials, including White House staff, Mr. Trump, the Trump reelection campaign, and members of Congress to plan or organize rallies and/or protests in Washington, D.C. related to the election, including, but not limited to, the January 6 rally on the Ellipse.
- (11) Advance knowledge of, and any preparations for, the possibility of violence during election-related rallies and/or protests in Washington, D.C.
- (12) Events in the days leading up to, and including, January 6. This includes, but is not limited to, campaign-related planning and activities at the Willard Hotel, planning and preparation for Mr. Trump's speech at the Ellipse, Mr. Trump and other White House officials' actions during and after the attack on the U.S. Capitol, and contact with members of Congress, law enforcement, the Department of Defense, and other federal agencies to address or respond to the attack.
- (13) The possibility of invoking martial law, the Insurrection Act, or the 25<sup>th</sup> Amendment based on election-related issues or the events in the days leading up to, and including, January 6.
- (14) The preservation or destruction of any information relating to the facts, circumstances, and causes relating to the attack of January 6<sup>th</sup>, including any such information that may have been stored, generated, or destroyed on personal electronic devices.
- (15) Documents and information, including the location of such documents and information, that are responsive to the Select Committee's subpoena. This includes, but is not limited to, information stored on electronic devices that Mr. Meadows uses and has used.
- (16) Topics about which Mr. Meadows has already spoken publicly. This includes, but is not limited to, Mr. Meadows's February 11, 2021, appearance on the Ingraham Angle show to discuss the January 6 attack on the U.S. Capitol, Mr. Trump's reactions to the attack, and the National Guard.

Again, this list is non-exclusive and may be supplemented as our investigation continues, but we do not expect to seek information from Mr. Meadows unrelated to the 2020 election and what led to and occurred on January 6. We also continue to interview additional witnesses who have personal knowledge of these issues and Mr. Meadows's involvement. As our investigation continues, we may develop additional information about the above-described areas or identify additional subjects about which we will seek information from your client. We will discuss those issues with you on an ongoing basis provided we are continuing to negotiate about these issues and Mr. Meadows's potential privilege assertions.

Mr. George Terwilliger III

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We believe that these topics either do not implicate any cognizable claim of executive privilege or raise issues for which the Select Committee's need for the information is sufficiently compelling that it overcomes any such claim. To that end, **please provide your input on the topics that the Select Committee has reiterated by way of this letter no later than Monday, November 8.** If there are areas listed above that you agree implicate no executive or other privilege, please identify those areas. Conversely, please articulate which privilege you believe applies to each area and how it is implicated. Our hope is that this process will sharpen our differences on privilege issues and allow us to develop unobjectionable areas promptly.

Mr. Meadows's deposition scheduled for November 12 can proceed on at least the agreed-upon topics, and we can move one step closer towards the resolution of outstanding issues.

Finally, it is worth emphasizing an additional point that is also addressed in the pending litigation involving the National Archives. For purposes of executive privilege, Mr. Meadows apparently sees no significant difference between himself and Mr. Trump as *former* executive branch officials, and President Biden and his chief of staff as *current* executive branch officials. That distinction, however, is meaningful because it is the incumbent President that is responsible for guarding executive privilege, not former officials. *Dellums v. Powell*, 561 F.2d 242, 247 (D.C. Cir. 1977); *see also Nixon v. GSA*, 433 U.S. 425, 449 (1977) (even the one residual privilege that a former president might assert, the communications privilege, exists "for the benefit of the Republic," rather than for the former "President as an individual"). With respect to the Select Committee's work, the incumbent President has actually expressly declined to assert executive privilege on a number of subjects on which the Select Committee has sought testimony or documents. *See Trump v. Thompson*, Case No. 1:21-cv-2769 (TSC), Doc. 21 (brief for the NARA defendants); *see also* Doc. 21-1 (Declaration of B. John Laster).

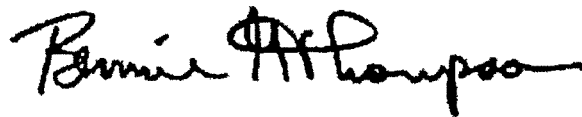
The accommodations process regarding potential claims of executive privilege is a process engaged in between the Executive Branch and the Legislative Branch. *See Trump v. Mazars USA LLP*, 140 S. Ct. 2019, 2030-31 (2020). Mr. Meadows represents neither. Nevertheless, we have in good faith considered your concerns and have proposed a course of action that reflects both that consideration and the Select Committee's urgent need for information.

Mr. George Terwilliger III

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Our hope is that this description of topics allows us to narrow the list of potentially disputed issues and move forward with Mr. Meadows' deposition. You have asked for negotiation, and we have responded in good faith. As was true before, however, the Select Committee will view Mr. Meadows's failure to respond to the subpoena as willful non-compliance. Such willful non-compliance with the subpoena would force the Select Committee to consider invoking the contempt of Congress procedures in 2 U.S.C. §§ 192, 194—which could result in a referral from the House to the Department of Justice for criminal charges—as well as the possibility of having a civil action to enforce the subpoena brought against Mr. Meadows in his personal capacity.

Sincerely,

A handwritten signature in black ink, reading "Bennie G. Thompson". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Bennie G. Thompson  
Chairman

McGuireWoods LLP

George J. Terwilliger III

McGUIREWOODS

November 8, 2021

VIA EMAIL

Honorable Bennie G. Thompson, Chairman  
Honorable Liz Cheney, Vice Chair  
Select Committee to Investigate the January 6th Attack on the United States Capitol  
U.S. House of Representatives

Re: Subpoenas Served on Honorable Mark R. Meadows

Dear Chair Thompson and Vice Chair Cheney:

I write in response to Chairman Thompson's letter of Friday, November 5, 2021. Thank you for your willingness to discuss the important issues raised by the Select Committee's subpoena. You asked that I respond by today, Monday, November 8, 2021, and so I am writing to so respond and to further seek some reasonable accommodation of the Select Committee's demands.

Please allow me to reiterate a fundamental point: Mr. Meadows position regarding testimony to the Select Committee is driven by his intent to maintain privileges that obviously attach to most subject matters arising from his tenure as White House Chief of Staff. Put simply, whether or not we agree that he lacks standing to assert privilege, it is obvious that he has no authority to unilaterally waive privilege. Moreover, as a responsible former Chief of Staff, he is abiding by the uniform, bi-partisan position of the Department of Justice that senior-most White House Staff cannot be compelled to provide congressional testimony. Unless the Department changes its position, and a court of competent authority directs him, after full appellate review, to do otherwise, that is the position we must maintain.

Despite that position, we have, now on several occasions, sought to find, outside the context of compulsion, accommodation with the Select Committee that would allow it to obtain some information from Mr. Meadows legitimately within the purview of a proper legislative purpose.



## Select Committee to Investigate the January 6th Attack on the United States Capitol

November 8, 2021

Page 2

We have gone so far as to proffer some information about a core aspect of apparent interest to the Select Committee. Unfortunately, our efforts have been met, including in your letter of November 5, with ever-broadening topical demands from the Select Committee (as detailed below), rather than an attempt to narrow our differences by focusing on a more particularized band of inquiry.

Nonetheless, we would propose yet again a means to accommodation outside the scope of subpoena that does not require Congress or Mr. Meadows to waive any legal rights. To that end, we would propose that the Select Committee propound written interrogatories to Mr. Meadows on any topics about which the Select Committee might wish to inquire. If the Select Committee is willing to do so, we are willing to respond to them as quickly as is feasible. That would allow Mr. Meadows to provide what information he can and/or to articulate clear assertions of privilege where applicable to specific questions. We believe doing so, at least initially, would present an orderly approach of far greater promise than would attempting to do so in a live setting.

With respect to the Select Committee's request for documents, please allow me to clarify as I believe your letter may misapprehend what we have related to your staff. While serving as White House Chief of Staff, Mr. Meadows conducted business on a computer and cell phone provided by the Federal Government. We believe that those devices contain the documents that are responsive to the Select Committee's subpoena. But those devices, and the documents on them, are no longer in Mr. Meadows's custody and control. He returned those devices to the Federal Government on January 20, 2021, and we believe them to be in the custody and control of the Archivist. We understand that the Select Committee is already in the process of seeking those and other documents from the National Archives, but Mr. Meadows does not have any formal role in that process.

Separately, to ensure that nothing has been missed, Mr. Meadows has provided us with access to electronic images from his personal accounts and devices. We do not expect those personal accounts and devices to contain much, if any, responsive material, but it is that review which is ongoing. My letter of November 3, 2021 was to indicate that we would agree to produce any responsive materials if we should identify any, without waiving attorney-client or any other applicable privilege. If we identify responsive materials that we conclude must be withheld based on an assertion of privilege, we will most certainly provide a privilege log as you request.

While we appreciate the Select Committee's expressed openness to an accommodation, we are concerned, as referenced above, that your latest letter expands, rather than narrows the scope of topics that any proposed accommodation might address. On October 12, I received from counsel for the Select Committee a list of topics that I was told reflected the Select Committee's view of what lay outside the scope of executive privilege. We had a different view about the applicability of executive privilege to those categories, but we appreciated the effort to reach common ground.

In your latest letter of November 5, however, there is listed an expanded set of categories that plainly implicate executive privilege even under a narrow interpretation of it. For instance, you ask Mr. Meadows to testify about "White House officials' understanding of purported election-related fraud, irregularities, or malfeasance in the November 2020 election." As you

## Select Committee to Investigate the January 6th Attack on the United States Capitol

November 8, 2021 .

Page 3

know, the Executive Branch is responsible for enforcing federal election laws, and it is natural for federal officials to discuss and deliberate on those issues. We do not see how Mr. Meadows could testify about that topic without implicating executive privilege. You also ask Mr. Meadows to testify about President Trump's "and others' efforts to use the Department of Justice to investigate alleged election-related conduct, file lawsuits, propose that state legislatures take election-related actions, or replace senior leadership." As you know, the President is Chief Executive and oversees the Department of Justice, as well as other federal agencies. We do not see how Mr. Meadows could testify about that topic without implicating executive privilege. If we are misunderstanding the Select Committee's position, and there is some narrower subset of these categories that the Select Committee genuinely believes to be outside executive privilege, we would welcome the clarification.

In addition to your expanded list of topics, you also maintain that "this list is non-exclusive and may be supplemented." You also state that the Select Committee "continue[s] to interview additional witnesses who have personal knowledge of these issues and Mr. Meadows's involvement." In addition to raising concerns about the Select Committee moving away from a reasonable accommodation, these statements also raise questions about why the Select Committee feels the need to subpoena the former White House Chief of Staff at all and, in particular, why the Select Committee is insisting on a November 12 date for such testimony. The courts have made clear that an important factor in assessing whether Congress can compel production of information about the President and his senior advisors is whether Congress has alternative means of getting the same information. *See Nixon v. Adm'r of Gen. Servs.*, 433 U.S. 425, 482 (1977); *Trump v. Mazars USA, LLP*, 140 S. Ct. 2019, 2025 (2020). If the Select Committee is already gathering documents and testimony about Mr. Meadows and his conduct during the relevant period, as your letter suggests, it is not clear why the Select Committee needs to gather that information again from him—in a posture that would threaten long-term effects for executive privilege.

The Executive Branch has prudently and consistently maintained in Administrations under both parties that Congress does not have the authority to compel testimony from the President's most senior advisors without the need to parse underlying questions of executive privilege. As the Supreme Court has noted, it can be very difficult to parse out the official and non-official duties of the President, who must serve as a one-man branch of government. *See Trump v. Mazars USA, LLP*, 140 S. Ct. 2019, 2024 (2020). It is all the more difficult to conduct that parsing during live testimony. Therefore, we believe that the alternate approach we respectfully suggest would provide the best path forward. We hope the Committee will give careful consideration to our suggestion for the use of voluntary interrogatory questions and answers.

\* \* \* \* \*

Again, I want to thank you and the Select Committee for your willingness to engage on these important topics. We recognize that the Select Committee and Mr. Meadows have very different views about the scope of Congress' authority and the protections afforded to Mr. Meadows.

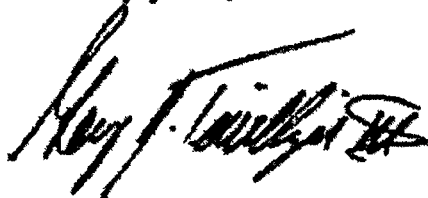
## Select Committee to Investigate the January 6th Attack on the United States Capitol

November 8, 2021

Page 4

You also note in your letter that, if we do not reach an accommodation, you intend to pursue a contempt citation against Mr. Meadows. We do not believe that would be warranted under the circumstances, but we understand that the Select Committee will do what it sees most fit. We respectfully request, however, that, if the Select Committee does decide to pursue a contempt citation against Mr. Meadows, in fairness to him that our mutual correspondence would be entered into the official record at that time.

Sincerely yours,

A handwritten signature in black ink, appearing to read "George J. Terwilliger III". The signature is stylized with a large, sweeping initial "G" and "J".

George J. Terwilliger III

cc:



BENNIE G. THOMPSON, MISSISSIPPI  
CHAIRMAN

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U.S. House of Representatives  
Washington, DC 20515

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## One Hundred Seventeenth Congress

### Select Committee to Investigate the January 6th Attack on the United States Capitol

November 9, 2021

Mr. George Terwilliger III  
McGuire Woods LLP

Dear Mr. Terwilliger:

The Select Committee to Investigate the January 6<sup>th</sup> Attack (“Select Committee”) is in receipt of your letter dated November 8, 2021.

As explained in the Select Committee’s letter dated November 5, 2021, we have been, and remain, interested in reaching an accommodation with Mr. Meadows that allows the Select Committee to fulfill its purpose of understanding the complete picture of what led to and occurred on January 6<sup>th</sup>, making recommendations for changes to the law that will protect our democracy, and help ensure that nothing like January 6<sup>th</sup> ever happens again. To that end, we have endeavored to identify discrete areas of inquiry that we seek to develop with Mr. Meadows.

As you are aware, the Select Committee has identified sixteen subject matters for inquiry and asked that you explain your position as to whether any of those areas would trigger any claims of executive privilege. In your November 8 letter, you did not respond with any specificity about those areas, which we assume means that you believe all potentially implicate executive privilege. Without further input on those areas, it appears that the accommodation process has reached its natural conclusion.

As a result, the Select Committee must insist that Mr. Meadows appear for a deposition on November 12, 2021, as required by the subpoena. The deposition will begin at 10:00 a.m. in [REDACTED]. Although you have stated a preference to proceed by written interrogatories, there is simply no substitute for live, in-person testimony and the Select Committee respectfully declines your suggestion to proceed otherwise. At Friday’s deposition, we will inquire about the areas identified in the November 5 letter. We continue to believe they do not implicate any privilege, though we understand that Mr. Meadows may assert executive privilege as to certain questions. Our intention is to develop the areas that are outside of any privilege claim, and to give you and Mr. Meadows the opportunity to state privilege objections to specific questions on the record.

As we discussed by telephone today, our investigation has identified evidence regarding your client’s use of personal cellular telephones and email accounts. Mr. Meadows’s use of such personal devices and accounts will be a subject of inquiry at Friday’s deposition. More specifically,

Mr. George Terwilliger III

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we will seek to develop the following information, none of which implicates any executive or other privilege:

- (1) Between the dates November 3, 2020, and January 20, 2021, did Mr. Meadows use any electronic application with encryption technology to communicate any government-related messages? If so, which applications did Mr. Meadows use? Does Mr. Meadows still have access to these messages? Were these messages searched in response to the Select Committee's subpoena?
- (2) Between the dates November 3, 2020, and January 20, 2021, did Mr. Meadows use any personal communications devices, including but not limited to cell phones assigned the numbers [REDACTED] and [REDACTED]?
- (3) If Mr. Meadows had such personal communications devices, did he use them for any government-related communications?
- (4) If Mr. Meadows had such personal communications devices, does he still have those devices and any text messages stored therein?
- (5) If so, have those devices been searched for records responsive to the Select Committee's subpoena to Mr. Meadows?
- (6) If Mr. Meadows no longer has such personal communications devices or no longer has the text messages from the date range mentioned above, what did he do with those devices and messages? Did he turn them over to the National Archives? If he no longer has possession of them, does he have knowledge regarding their disposition?
- (7) During the date ranges mentioned above, did Mr. Meadows utilize a non-government email account, such as a Gmail account? If so, did Mr. Meadows use that account for any government-related communications? Does Mr. Meadows still have access to the account? Has any such account been searched for records responsive to the Select Committee's subpoena to Mr. Meadows?
- (8) If Mr. Meadows had a non-government email account during the dates mentioned above, but no longer has access to that account or no longer has emails from the date range mentioned above, what happened to that account or those emails? Did he provide all government-related emails to the National Archives?

As we discussed, it would be helpful to have information about these issues before Friday's deposition.

Please confirm receipt of this letter and Mr. Meadows' intent to appear for his deposition on Friday. Our staff is available to talk with you about logistical information such as building access. The Select Committee will view Mr. Meadows's failure to appear for the deposition and respond to the subpoena as willful non-compliance. Such willful non-compliance with the subpoena would force the Select Committee to consider invoking the contempt of Congress procedures in 2 U.S.C. §§ 192, 194—which could result in a referral from the House to the

Mr. George Terwilliger III

Page 3

Department of Justice for criminal charges—as well as the possibility of having a civil action to enforce the subpoena brought against Mr. Meadows in his personal capacity. Upon completion of Friday's deposition, we will have a record on which to base decisions about possible enforcement action.

Sincerely,

A handwritten signature in black ink, reading "Bennie G. Thompson". The signature is fluid and cursive, with a large initial "B" and a stylized "G" and "T".

Bennie G. Thompson  
Chairman

McGuireWoods LLP

George J. Terwilliger III

McGUIREWOODS

November 10, 2021

VIA EMAIL

Honorable Bennie G. Thompson, Chairman  
Honorable Liz Cheney, Vice Chair  
Select Committee to Investigate the January 6th Attack on the United States Capitol  
U.S. House of Representatives

Re: Subpoenas Served on Honorable Mark R. Meadows

Dear Chair Thompson and Vice Chair Cheney:

I write to acknowledge receipt of your letter of yesterday, November 9, 2021, in which you reject yet again a proposal for accommodation and ignore our suggestion to seek an accommodation outside the compulsion of a committee subpoena. Rather, the Select Committee insists that Mr. Meadows appear pursuant to a subpoena for a deposition this Friday, November 12, 2021, pertaining—without limitation in light of the privilege concerns we have raised—to sixteen wide-ranging subject matters as to which he would be questioned. You have made this demand notwithstanding the numerous outstanding issues that we have been discussing. Not least among these, we have asserted that Mr. Meadows feels duty bound to respect the bi-partisan positions of multiple presidential administrations, as expressed by the Department of Justice, that senior aides to the president cannot be compelled to provide congressional testimony. Mr. Meadows cannot agree to appear at 10 AM Friday.

The Select Committee has already threatened to enforce its subpoena against Mr. Meadows if he does not appear for live testimony, but I urge you to reconsider that position. It would be an extraordinary step for the Select Committee to seek to force Mr. Meadows to testify under these circumstances. The Select Committee's subpoena directly seeks information about Mr. Meadows's tenure as White House Chief of Staff, including information that he knows only from discussions with then-President Trump in the course of official duties. President Trump has instructed him to maintain and assert privilege and testimonial immunity to the full extent of the law, and Mr. Meadows has not received any contrary instruction from the current Administration. There is active litigation in the federal courts over related privilege issues that

Select Committee to Investigate the January 6th Attack on the United States Capitol  
November 10, 2021  
Page 2

could bear on Mr. Meadows's testimony. And as expressed in your letter of last Friday, November 5, 2021, the Select Committee still has not determined the full scope of information that it intends to seek from Mr. Meadows under its broad subpoena.

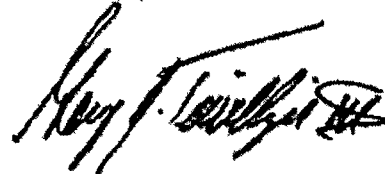
We also regret that we have not been able to reach an accommodation with the Select Committee outside the contours of the subpoena, as Congress has often been able to do with senior Executive officials over the past two centuries. Curiously, your letter insists that the accommodation process has stalled because the Select Committee does not have written views from Mr. Meadows on which subjects of the Select Committee's inquiry would be subject to legal privileges, including executive privilege. And yet that is precisely what we proposed to provide in response to written interrogatories from the Select Committee. We have never suggested that, by agreeing to propound interrogatories as a next step in the accommodation process, the Select Committee would forfeit the ability to seek live testimony. Nor would Mr. Meadows forfeit his ability to object to this request. That is the nature of an accommodation. It is therefore unfortunate that the Select Committee has rushed to compel live testimony now.

Mr. Meadows has proudly served in the House of Representatives. He fully appreciates Congress's role in our constitutional system. But in these circumstances, that appreciation for our constitutional system and the separation of powers dictates that he cannot appear on Friday to testify about his tenure as White House Chief of Staff. Mr. Meadows does not resist the Select Committee's subpoena out of self-interest. He instead feels duty-bound as former White House Chief of Staff to protect the prerogatives of that office and of Executive Branch in which he served. Mr. Meadows cannot, in good conscience, undermine the office and all who will hold it through a unilateral waiver of privilege and testimonial immunity.

\* \* \* \* \*

I hope you will accept my sincere thanks for the opportunity to have engaged in this dialogue with you and the Select Committee concerning Mr. Meadows's compelled appearance before it. I regret that this frank exchange of views has not apparently led to an agreed upon resolution. As stated above, we do hope that the Select Committee will reconsider its apparent decision to enforce its subpoena against Mr. Meadows. But if not, we reiterate our request for the Select Committee to enter our mutual correspondence, including this letter, into the official record of any associated proceedings.

Sincerely yours,



George J. Terwilliger III

cc:





BENNIE G. THOMPSON, MISSISSIPPI  
CHAIRMAN

ZOE LÖFGREN, CALIFORNIA  
ADAM B. SCHIFF, CALIFORNIA  
PETE AGUILAR, CALIFORNIA  
STEPHANIE N. MURPHY, FLORIDA  
JAMIE BASKIN, MARYLAND  
ELAINE G. LURIA, VIRGINIA  
LIZ CHENEY, WYOMING  
ADAM KINZINGER, ILLINOIS



U.S. House of Representatives  
Washington, DC 20515

january6th.house.gov  
(202) 225-7890

## One Hundred Seventeenth Congress

### Select Committee to Investigate the January 6th Attack on the United States Capitol

November 11, 2021

Mr. George Terwilliger III  
McGuire Woods LLP

Dear Mr. Terwilliger:

The Select Committee to Investigate the January 6<sup>th</sup> Attack (“Select Committee”) is in receipt of your letter dated November 10, 2021, in which you state that Mr. Meadows feels “duty bound” to disregard the Select Committee’s subpoena requiring him to produce documents and appear for testimony. Mr. Meadows’s conclusion about his duty, however, relies on a misunderstanding of his legal obligations under the subpoena. The law requires that Mr. Meadows comply with the subpoena absent an applicable immunity or valid assertion of a Constitutionally based privilege. The attached letter from the White House Counsel’s Office, dated today, eviscerates any plausible claim of testimonial immunity or executive privilege, and compels compliance with the Select Committee’s subpoena.

In your letters and telephone conversations with the Select Committee since October 7, 2021, you have indicated that Mr. Meadows “is immune from compelled congressional testimony on matters related to his official responsibilities.” That position is based on Department of Justice Office of Legal Counsel (“OLC”) opinions in which OLC has advised past presidents to claim that senior advisors cannot be required to provide testimony to Congress about official actions. These opinions, however, do not justify Mr. Meadows’s refusal to provide the Select Committee information about one of the most significant events in our Nation’s history. As we previously conveyed, every federal court that has considered the issue of absolute immunity has rejected it, *even after* OLC last opined on the matter. *See, e.g., Comm. on the Judiciary v. Miers*, 558 F. Supp. 2d 53, 106 (D.D.C. 2008) (rejecting former White House counsel’s assertion of absolute immunity from compelled congressional process); *Comm. on Judiciary v. McGahn*, 415 F. Supp. 3d 148 (D.D.C. 2019) (“To make the point as plain as possible, it is clear to this Court . . . that, with respect to senior-level presidential aides, absolute immunity from compelled congressional process simply does not exist.”).

Your letters also broadly suggest that Mr. Meadows’s testimony is covered by claims of executive privilege. At the same time, you have failed to respond with specificity about any of the areas of inquiry the Select Committee has identified that do not implicate any privilege at all. For example, my most recent letter to you listed eight questions on which the Select Committee seeks Mr. Meadows’s testimony related to his use of personal cellular devices and email accounts. Your

Mr. George Terwilliger III

Page 2

letter in response did not address those issues and, instead, made general and unspecified blanket assertions of immunity and executive privilege. But, as you know and, as explained in my letter dated October 25, categorical claims of executive privilege run afoul of caselaw requiring that any claim of executive privilege be asserted narrowly and specifically. *See, e.g., In re Sealed Case (Espy)*, 121 F.3d 729, 752 (D.C. Cir. 1997) (“the presidential communications privilege should be construed as narrowly...”); *Comm. on Oversight & Gov’t Reform v. Holder*, 2014 WL 12662665, at \*2 (rejecting a “blanket” executive-privilege claim over subpoenaed documents). We find it hard to consider your offer to answer questions in writing as genuine when you failed to respond to the questions we explicitly asked. Please respond to those questions no later than tomorrow.

In addition, Mr. Meadows has not produced even a single document in response to the Select Committee’s subpoena. Although you previously indicated that your firm was searching records that Mr. Meadows provided to you, more than enough time has passed for you to complete your review. Please immediately inform the Select Committee whether Mr. Meadows has any records responsive to the subpoena. Your search for responsive records should include (but not be limited to) any text messages, emails, or application-based messages associated with the cellular phone numbers and private email address the Select Committee has identified. If Mr. Meadows has records that you believe are protected by some form of privilege, you must provide the Select Committee a log describing each such record and the basis for the privilege asserted.

Further, the Select Committee understands that today, November 11, 2021, you received the attached letter from the White House Counsel’s Office addressing your previously stated concern that “Mr. Meadows has not received any contrary instruction from the current Administration.” The White House Counsel’s letter clearly explains the current President’s position: “[t]he President believes that the constitutional protections of executive privilege should not be used to shield information reflecting an effort to subvert the Constitution itself, and indeed believes that such an assertion in this circumstance would be at odds with the principles that underlie the privilege.” For that reason, and others, your client has now been advised that (i) “an assertion of privilege is not justified with respect to testimony and documents” relevant to the Select Committee’s investigation, and (ii) the President will not be asserting any claims of executive privilege or testimonial immunity regarding subjects about which the Select Committee seeks documents and testimony from Mr. Meadows.<sup>1</sup>

Simply put, there is no valid legal basis for Mr. Meadows’s continued resistance to the Select Committee’s subpoena. As such, the Select Committee expects Mr. Meadows to produce

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<sup>1</sup> Your letter states that Mr. Meadows cannot “in good conscience” give testimony out of an “appreciation for our constitutional system and the separation of powers” because doing so would “undermine the office and all who hold it.” You also acknowledge, however, that Congress has successfully obtained information from “senior Executive officials over the past two centuries,” as you must, because there is a long history of senior aides providing testimony to Congress without upending our constitutional system. *See, e.g., Trump v. Thompson*, No. 21-cv-2769 at 19-20 (D.D.C. Nov. 9, 2021) (describing congressional testimony of White House staff during the Nixon and Reagan administrations, as well as President George W. Bush’s interview with the 9/11 Commission); *see also Presidential Advisers’ Testimony Before Congressional Committees: An Overview*, CRS REPORT FOR CONGRESS (April 10, 2007) (providing numerous examples of presidential aides testifying before Congress including, Lloyd Cutler (Counsel to the President), Samuel Berger (Assistant to the President), Harold Ickes (Assistant to the President and Deputy Chief of Staff)).

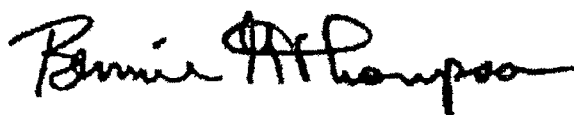
Mr. George Terwilliger III

Page 3

all responsive documents and appear for deposition testimony tomorrow, November 12, 2021, at 10:00 a.m. If there are specific questions during that deposition that you believe raise legitimate privilege issues, Mr. Meadows should state them at that time on the record for the Select Committee's consideration and possible judicial review.

The Select Committee will view Mr. Meadows's failure to appear at the deposition, and to produce responsive documents or a privilege log indicating the specific basis for withholding any documents you believe are protected by privilege, as willful non-compliance. Such willful non-compliance with the subpoena would force the Select Committee to consider invoking the contempt of Congress procedures in 2 U.S.C. §§ 192, 194—which could result in a referral from the House of Representatives to the Department of Justice for criminal charges—as well as the possibility of having a civil action to enforce the subpoena brought against Mr. Meadows in his personal capacity.

Sincerely,

A handwritten signature in black ink, reading "Bennie G. Thompson". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Bennie G. Thompson  
Chairman

\* \* \* \*. I will mark as exhibit 3 and vember 11th, 2021, from the White Terwilliger as counsel for Mr. Meadows. I will enter into the record a letter dated November 11, 2021, from the White House Counsel's Office to Mr. George Terwilliger as counsel for Mr. Meadows.

**Exhibit 3 — Letter from White House Counsel to  
Counsel for Mr. Meadows, Nov. 11, 2021**



THE WHITE HOUSE  
WASHINGTON

November 11, 2021

George J. Terwilliger III  
McGuireWoods LLP

Dear Mr. Terwilliger:

I write in response to your letter of October 11, 2021, regarding a subpoena issued by the House Select Committee to Investigate the January 6th Attack on the United States Capitol (the “Select Committee”) to your client, Mark R. Meadows.

In an October 8, 2021 letter to the Archivist of the United States regarding the Select Committee’s request for documents relevant to its investigation, the Counsel to the President wrote:

[T]he insurrection that took place on January 6, and the extraordinary events surrounding it, must be subject to a full accounting to ensure nothing similar ever happens again. Congress has a compelling need in service of its legislative functions to understand the circumstances that led to . . . the most serious attack on the operations of the Federal Government since the Civil War.<sup>1</sup>

President Biden recognizes the importance of candid advice in the discharge of the President’s constitutional responsibilities and believes that, in appropriate cases, executive privilege should be asserted to protect former senior White House staff from having to testify about conversations concerning the President’s exercise of the duties of his office. But in recognition of these unique and extraordinary circumstances, where Congress is investigating an effort to obstruct the lawful transfer of power under our Constitution, President Biden has already determined that an assertion of executive privilege is not in the public interest, and is therefore not justified, with respect to particular subjects within the purview of the Select Committee. These subjects include: events within the White House on or about January 6, 2021; attempts to use the Department of Justice to advance a false narrative that the 2020 election was tainted by widespread fraud; and other efforts to alter election results or obstruct the transfer of power. The President believes that the constitutional protections of executive privilege should not be used to shield information reflecting an effort to subvert the Constitution itself, and indeed believes that such an assertion in this circumstance would be at odds with the principles that underlie the privilege.

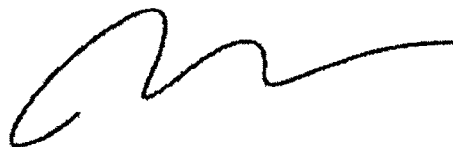
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<sup>1</sup> See Letter to David S. Ferriero, Archivist of the United States, from Dana A. Remus, Counsel to the President (Oct. 8, 2021).

Consistent with President Biden's determination that an assertion of privilege is not justified with respect to testimony and documents relating to these particular subjects, he has determined that he will not assert executive privilege with respect to your client's deposition testimony on these subjects, or any documents your client may possess that bear on them. For the same reasons underlying his decisions on executive privilege, President Biden has determined that he will not assert immunity to preclude your client from testifying before the Select Committee.

Please contact me if you have any questions about the matters described herein.

Sincerely,



Jonathan C. Su  
Deputy Counsel to the President

cc:



Select Committee to Investigate the January 6th Attack on the United States Capitol

\* \* \* \*. I will mark as exhibit 4 and enter into the record an email dated November 9th, 2021, and corresponding attachments from \* \* \* \*, chief investigative counsel to the select committee, to George Terwilliger, with subject line, “Deposition Rules.” The attachments consist of, one, a document called “Document Production Definitions and Instructions”; two, “Deposition Rules,” which is a copy of the House Congressional Record page H41 from January 4th, 2021; third, which is a copy of section 3(b) of House Resolution 8 dated January 4th, 2021.



**Exhibit 4 — Select Committee Staff Email to  
Counsel for Mr. Meadows, Nov. 9, 2021**

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Tuesday, November 9, 2021 7:39 PM  
**To:** Terwilliger, George J. III  
**Cc:** [REDACTED]  
**Subject:** Deposition Rules  
**Attachments:** Document Production Instructions.pdf; deposition rules.pdf; HRes8Sec3b.pdf

George,

As promised, I'm sending along the rules that govern procedure for depositions taken by committees of the House of Representatives. I've also attached the document production instructions, to guide any production you may provide.

As always, please let me know if you have any questions.

Thanks,

[REDACTED]

[REDACTED]

Select Committee to Investigate the January 6<sup>th</sup> Attack  
on the United States Capitol  
U.S. House of Representatives  
[REDACTED]

**DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS**

1. In complying with this request, produce all responsive documents, regardless of classification level, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Select Committee to Investigate the January 6th Attack on the United States Capitol ("Committee").
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The Committee's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. With specific reference to classified material, you will coordinate with the Committee's Security Officer to arrange for the appropriate transfer of such information to the Committee. This includes, but is not necessarily limited to: a) identifying the classification level of the responsive document(s); and b) coordinating for the appropriate transfer of any classified responsive document(s).
5. Electronic document productions should be prepared according to the following standards:
  - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
  - b. All electronic documents produced to the Committee should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH,  
PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME,  
SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE,  
ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE,  
FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED,  
DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER,  
NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

6. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.
7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
11. In accordance with 5 U.S.C. § 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.
12. Pursuant to 5 U.S.C. § 552a(b)(9), the Privacy Act shall not be a basis for withholding information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.
15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
16. If a date or other descriptive detail set forth in this request referring to a document

is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

17. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
18. All documents shall be Bates-stamped sequentially and produced sequentially.
19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and  
(2) all documents located during the search that are responsive have been produced to the Committee.

### **Definitions**

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.
3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.
4. The term “including” shall be construed broadly to mean “including, but not limited to.”
5. The term “Company” means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.
6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.
7. The term “related to” or “referring or relating to,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.
8. The term “employee” means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, assignee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.
9. The term “individual” means all natural persons and all persons or entities acting on their behalf.

January 4, 2021

CONGRESSIONAL RECORD—HOUSE

H41

health, safety, and well-being of others present in the Chamber and surrounding areas. Members and staff will not be permitted to enter the Hall of the House without wearing a mask. Masks will be available at the entry points for any Member who forgets to bring one. The Chair views the failure to wear a mask as a serious breach of decorum. The Sergeant-at-Arms is directed to enforce this policy. Based upon the health and safety guidance from the attending physician and the Sergeant-at-Arms, the Chair would further advise that all Members should leave the Chamber promptly after casting their votes. Furthermore, Members should avoid congregating in the rooms leading to the Chamber, including the Speaker's lobby. The Chair will continue the practice of providing small groups of Members with a minimum of 5 minutes within which to cast their votes. Members are encouraged to vote with their previously assigned group. After voting, Members must clear the Chamber to allow the next group a safe and sufficient opportunity to vote. It is essential for the health and safety of Members, staff, and the U.S. Capitol Police to consistently practice social distancing and to ensure that a safe capacity be maintained in the Chamber at all times. To that end, the Chair appreciates the cooperation of Members and staff in preserving order and decorum in the Chamber and in displaying respect and safety for one another by wearing a mask and practicing social distancing. All announced policies, including those addressing decorum in debate and the conduct of votes by electronic device, shall be carried out in harmony with this policy during the pendency of a covered period.

#### 117TH CONGRESS REGULATIONS FOR USE OF DEPOSITION AUTHORITY

COMMITTEE ON RULES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 4, 2021.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC

MADAM SPEAKER: Pursuant to section 3(b) of House Resolution 8, 117th Congress, I hereby submit the following regulations regarding the conduct of depositions by committee and select committee counsel for printing in the Congressional Record.

Sincerely,

JAMES P. MCGOVERN,  
Chairman, Committee on Rules  
REGULATIONS FOR THE USE OF DEPOSITION AUTHORITY

1. Notices for the taking of depositions shall specify the date, time, and place of examination. Depositions shall be taken under oath administered by a member or a person otherwise authorized to administer oaths. Depositions may continue from day to day.

2. Consultation with the ranking minority member shall include three days' notice before any deposition is taken. All members of the committee shall also receive three days' written notice that a deposition will be taken, except in exigent circumstances. For purposes of these procedures, a day shall not include Saturdays, Sundays, or legal holidays except when the House is in session on such a day.

3. Witnesses may be accompanied at a deposition by personal, nongovernmental counsel to advise them of their rights. Only members, committee staff designated by the chair or ranking minority member, an official reporter, the witness, and the witness's counsel are permitted to attend. Observers or counsel for other persons, including counsel for government agencies, may not attend.

4. The chair of the committee noticing the deposition may designate that deposition as part of a joint investigation between committees, and in that case, provide notice to the members of the committees. If such a designation is made, the chair and ranking minority member of the additional committee(s) may designate committee staff to attend pursuant to regulation 3. Members and designated staff of the committees may attend and ask questions as set forth below.

5. A deposition shall be conducted by any member or committee counsel designated by the chair or ranking minority member of the Committee that noticed the deposition. When depositions are conducted by committee counsel, there shall be no more than two committee counsel permitted to question a witness per round. One of the committee counsel shall be designated by the chair and the other by the ranking minority member per round.

6. Deposition questions shall be propounded in rounds. The length of each round shall not exceed 60 minutes per side, and shall provide equal time to the majority and the minority. In each round, the member(s) or committee counsel designated by the chair shall ask questions first, and the member(s) or committee counsel designated by the ranking minority member shall ask questions second.

7. Objections must be stated concisely and in a non-argumentative and non-suggestive manner. A witness's counsel may not instruct a witness to refuse to answer a question, except to preserve a privilege. In the event of professional, ethical, or other misconduct by the witness's counsel during the deposition, the Committee may take any appropriate disciplinary action. The witness may refuse to answer a question only to preserve a privilege. When the witness has refused to answer a question to preserve a privilege, members or staff may (i) proceed with the deposition, or (ii) either at that time or at a subsequent time, seek a ruling from the Chair either by telephone or otherwise. If the Chair overrules any such objection and thereby orders a witness to answer any question to which an objection was lodged, the witness shall be ordered to answer. If a member of the committee chooses to appeal the ruling of the chair, such appeal must be made within three days, in writing, and shall be preserved for committee consideration. The Committee's ruling on appeal shall be filed with the clerk of the Committee and shall be provided to the members and witness no less than three days before the reconvened deposition. A deponent who refuses to answer a question after being directed to answer by the chair may be subject to sanction, except that no sanctions may be imposed if the ruling of the chair is reversed by the committee on appeal.

8. The Committee chair shall ensure that the testimony is either transcribed or electronically recorded or both. If a witness's testimony is transcribed, the witness or the witness's counsel shall be afforded an opportunity to review a copy. No later than five days after the witness has been notified of the opportunity to review the transcript, the witness may submit suggested changes to the chair. Committee staff may make any typographical and technical changes. Substantive changes, modifications, clarifications, or amendments to the deposition transcript submitted by the witness must be accompanied by a letter signed by the witness requesting the changes and a statement of the witness's reasons for each proposed change. Any substantive changes, modifications, clarifications, or amendments shall be included as an appendix to the transcript conditioned upon the witness signing the transcript.

9. The individual administering the oath, if other than a member, shall certify on the transcript that the witness was duly sworn. The transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall be filed, together with any electronic recording, with the clerk of the committee in Washington, DC. Depositions shall be considered to have been taken in Washington, DC, as well as the location actually taken once filed there with the clerk of the committee for the committee's use. The chair and the ranking minority member shall be provided with a copy of the transcripts of the deposition at the same time.

10. The chair and ranking minority member shall consult regarding the release of deposition testimony, transcripts, or recordings, and portions thereof. If either objects in writing to a proposed release of a deposition testimony, transcript, or recording, or a portion thereof, the matter shall be promptly referred to the committee for resolution.

11. A witness shall not be required to testify unless the witness has been provided with a copy of section 3(b) of H. Res. 8, 117th Congress, and these regulations.

#### REMOTE COMMITTEE PROCEEDINGS REGULATIONS PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

COMMITTEE ON RULES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 4, 2021.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC

MADAM SPEAKER: Pursuant to section 3(a) of House Resolution 8, 117th Congress, I hereby submit the following regulations regarding remote committee proceedings for printing in the Congressional Record.

Sincerely,

JAMES P. MCGOVERN,  
Chairman,  
Committee on Rules

#### REMOTE COMMITTEE PROCEEDINGS REGULATIONS PURSUANT TO HOUSE RESOLUTION 8

##### A. PRESENCE AND VOTING

1. Members participating remotely in a committee proceeding must be visible on the software platform's video function to be considered in attendance and to participate unless connectivity issues or other technical problems render the member unable to fully participate on camera (except as provided in regulations A.2 and A.3).

2. The exception in regulation A.1 for connectivity issues or other technical problems does not apply if a point of order has been made that a quorum is not present. Members participating remotely must be visible on the software platform's video function in order to be counted for the purpose of establishing a quorum.

3. The exception in regulation A.1 for connectivity issues or other technical problems does not apply during a vote. Members participating remotely must be visible on the software platform's video function in order to vote.

4. Members participating remotely off-camera due to connectivity issues or other technical problems pursuant to regulation A.1 must inform committee majority and minority staff either directly or through staff.

5. The chair shall make a good faith effort to provide every member experiencing connectivity issues an opportunity to participate fully in the proceedings, subject to regulations A.2 and A.3.

**H. Res. 8*****In the House of Representatives, U. S.,****January 4, 2021.**Resolved,***SECTION 1. ADOPTION OF THE RULES OF THE ONE HUNDRED  
SIXTEENTH CONGRESS.**

The Rules of the House of Representatives of the One Hundred Sixteenth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Sixteenth Congress, are adopted as the Rules of the House of Representatives of the One Hundred Seventeenth Congress, with amendments to the standing rules as provided in section 2, and with other orders as provided in this resolution.

**SEC. 2. CHANGES TO THE STANDING RULES.**

(a) CONFORMING CHANGE.—In clause 2(i) of rule II—

(1) strike the designation of subparagraph (1); and

(2) strike subparagraph (2).

(b) OFFICE OF DIVERSITY AND INCLUSION AND OFFICE OF THE WHISTLEBLOWER OMBUDS.—



**SEC. 3. SEPARATE ORDERS.**

(a) **MEMBER DAY HEARING REQUIREMENT.**—During the first session of the One Hundred Seventeenth Congress, each standing committee (other than the Committee on Ethics) or each subcommittee thereof (other than a subcommittee on oversight) shall hold a hearing at which it receives testimony from Members, Delegates, and the Resident Commissioner on proposed legislation within its jurisdiction, except that the Committee on Rules may hold such hearing during the second session of the One Hundred Seventeenth Congress.

(b) **DEPOSITION AUTHORITY.**—

(1) During the One Hundred Seventeenth Congress, the chair of a standing committee (other than the Committee on Rules), and the chair of the Permanent Select Committee on Intelligence, upon consultation with the ranking minority member of such committee, may order the taking of depositions, including pursuant to subpoena, by a member or counsel of such committee.

(2) Depositions taken under the authority prescribed in this subsection shall be subject to regulations issued by the chair of the Committee on Rules and printed in the Congressional Record.

(c) **WAR POWERS RESOLUTION.**—During the One Hundred Seventeenth Congress, a motion to discharge a measure introduced pursuant to section 6 or section 7 of the War

\* \* \* \*. And, with that, I will note for the record that it is 10:07 a.m., and Mr. Meadows still has not appeared or communicated to the select committee that he will appear today as required by the subpoena. [Whereupon, at 10:07 a.m., the deposition was concluded.] Accordingly, the record is now closed as of 10:07 a.m.

The official transcript for Mr. Meadows's voluntary deposition on December 8, 2021, is as follows:

SELECT COMMITTEE TO INVESTIGATE THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC  
DEPOSITION OF: MARK MEADOWS (NO-SHOW)

WEDNESDAY, DECEMBER 8, 2021  
WASHINGTON, DC

The deposition in the above matter was held in \* \* \* \* commencing at 10:00 a.m.

PRESENT: Representatives SCHIFF and LOFGREN.

APPEARANCES:  
FOR THE SELECT COMMITTEE TO INVESTIGATE THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

\*\*\*\*, \*\*\*\*  
\*\*\*\*, \*\*\*\*  
\*\*\*\*, \*\*\*\*  
\*\*\*\*, \*\*\*\*

\*\*\*\*. All right. It's 10 a.m. So we'll go ahead and get started going on the record.

This is a deposition of Mark Meadows, conducted by the House Select Committee to Investigate the January 6th Attack on the United States Capitol, pursuant to House Resolution 503.

My name is \*\*\*\*. That's \*\*\*\*, and I'm the chief investigative counsel to the select committee. With me today are \*\*\*\*, who is a senior investigative counsel, and Ms. ZOE LOFGREN, who is a member of the select committee, is also participating remotely.

Based on an agreement with counsel to Mr. Meadows, this deposition was to begin at 10 a.m. It is now 10 a.m., and Mr. Meadows has not appeared.

Mr. Meadows received a subpoena, dated September 23rd, 2021, requiring him to produce documents to the select committee and appear for a deposition. Staff engaged in several discussions with Mr. Meadows' counsel regarding the scope of his production and the subject matters to be developed at his deposition.

Staff provided Mr. Meadows' counsel with specific areas in which it is interested and asked Mr. Meadows to identify those that would trigger a privilege assertion. Rather than engage with the select committee, Mr. Meadows asserted that, as a former White House chief of staff, he cannot be compelled to provide information to Congress. He communicated his blanket assertion of immunity, in addition to claims of executive privilege, in writing to Chairman THOMPSON.

On November 12th, 2021, the select committee convened the scheduled deposition of Mr. Meadows after the current White House indicated, in writing, that President Biden would not assert any immunity or privilege that would prevent Mr. Meadows from appearing and answering the committee's questions.

Mr. Meadows did not appear for that deposition on November 12th, as indicated in his prior correspondence.

He also failed to produce any documents responsive to the select committee's subpoena or a privilege log asserting claims of privilege for specific documents.

After Mr. Meadows failed to appear for his deposition or produce documents, select committee staff engaged in further discussions with Mr. Meadows' counsel regarding the status of his noncooperation.

Mr. Meadows ultimately agreed to produce some documents and to appear for a deposition today, December 8th, 2021, at 10 a.m., an offer which the chairman extended to him as a good faith effort to enable Mr. Meadows to cure his failure to comply with the September 23rd subpoena and provide information relevant to the select committee's investigation.

Mr. Meadows has now produced documents. Counsel made clear that Mr. Meadows intended to withhold some responsive information due to a claim of executive privilege. He agreed to produce documents he believes are not covered by that or any other privilege and to produce a privilege log identifying responsive documents withheld due to such privilege assertions.

He also agreed to appear for a deposition, at which he would be asked questions on subject matters relevant to the select committee's inquiry, as identified in our prior correspondence, and either answer the questions or articulate a claimed privilege.

We agreed with Mr. Meadows' counsel that this production and deposition would clarify Mr. Meadows' position on the application of various privileges and create a record for further discussion and consideration of possible enforcement by the select committee.

Consistent with that agreement, Mr. Meadows did produce documents and privilege logs. More specifically, he produced approximately 6,600 pages of records taken from personal email accounts he used to conduct official business, as well as a privilege log describing other emails over which he claims privilege protection. He also produced approximately 2,000 text messages, which Mr. Meadows sent or received using a personal device which he used for official business, in addition to a privilege log, in which he describes privilege claims over other withheld text messages.

Mr. Meadows was scheduled to appear today, December 8th, 2021, for a deposition. However, he has not appeared and is not present today. We received correspondence from Mr. Meadows' attorney yesterday indicating that, despite his prior agreement to appear today, his position has changed and he would not appear.

We are disappointed in Mr. Meadows' failure to appear as planned, as it deprives the select committee of an opportunity to develop relevant information in Mr. Meadows' possession and to, more specifically, understand the contours of his executive privilege claim.

Again, the purpose of today's proceeding was to ask Mr. Meadows ques-

tions that we believe would be outside of any cognizable claim of executive, attorney client, Fifth Amendment, or other potentially applicable privilege.

Our hope is that he would answer those questions, which would materially advance the select committee's investigation, given Mr. Meadows' service as White House chief of staff. We expected that he would assert privileges in response to various questions, articulating the specific privilege he believes is implicated and how it applies to the question asked. We planned to evaluate Mr. Meadows' privilege assertions after today's proceeding, engage in further discussions with Mr. Meadows' counsel, and consider whether enforcement steps were appropriate and necessary.

Mr. Meadows' failure to appear for today's deposition deprives us of the opportunity to engage in that process. Instead, we are left with Mr. Meadows' complete refusal to appear for his deposition or cure his willful noncompliance with the select committee's subpoena.

Had Mr. Meadows appeared for his deposition today, we would have asked him a series of questions about subjects that we believe are well outside of any claim of executive privilege. More specifically, we would have asked Mr. Meadows questions about his use of personal email and cellular phones.

Mr. Meadows' document production includes documents taken from two Gmail accounts. We would've asked him how and for what purpose he used those Gmail accounts and when he used one of them as opposed to his official White House email account. We would've similarly asked him about his use of a personal cellular telephone.

We would have sought to develop information about when Mr. Meadows used his personal cell phone for calls and text messages and when he used his official White House cell phone for those purposes.

Mr. Meadows' production of documents shows that he used the Gmail accounts and his personal cellular phone for official business related to his service as White House chief of staff. Given that fact, we would ask Mr. Meadows about his efforts to preserve those documents and provide them to the National Archives, as required by the Presidential Records Act. Finally, we would have asked Mr. Meadows about his use of a signal account, which is reflected in the text messages he produced.

In addition, we would have asked Mr. Meadows about particular emails that he produced to the select committee. We do not believe these emails implicate any valid claim of executive or other privilege, given that Mr. Meadows has produced the emails to the select committee.

Specifically, we would've asked Mr. Meadows about emails about the Electoral Count Act and the prospect of State legislators sending alternate slates of electors to Congress, including a November 7th, 2020, email with

attachments. We would've asked him about emails reflecting the Trump campaign's effort to challenge election results, including a December 23rd email from Mr. Meadows indicating that, quote, "Rudy was put in charge. That was the President's decision," end quote, that reflects a direct communication between Mr. Meadows and the President.

We would've asked him about emails from Mr. Meadows to leadership at the Department of Justice on December 29th and 30th, 2020, and January 1st, 2021, encouraging investigations of suspected voter fraud, including claims that had been previously rebutted by State and Federal investigators and rejected by Federal courts.

We would have asked Mr. Meadows about emails regarding the deployment of the National Guard on January 6th, including a January 5th email from Mr. Meadows in which he indicates that the Guard would be present at the Capitol to, quote, "protect pro Trump people," end quote.

In addition, we would have asked Mr. Meadows about specific text messages he sent or received that he has produced to the select committee. Given Mr. Meadows' production of these text messages to the select committee, they do not, in our view, implicate any valid claim of executive or other privilege.

We would've specifically asked Mr. Meadows about text messages regarding efforts to encourage Republican legislators in certain States to send alternate slates of electors to Congress, including a message sent by Mr. Meadows on December 8th, 2020, in which Mr. Meadows said, quote, "We are," end quote, and another text from Mr. Meadows to someone else in which he said that, quote, "We have a team on it," end quote.

We would have asked Mr. Meadows about text messages sent to and from Members of Congress, including text messages received from a Member of Congress in November of 2020 regarding efforts to contact State legislators because, as Mr. Meadows indicates in his text messages, quote, "POTUS wants to chat with them," end quote, which reflects a direct communication with the President, as well as texts in December of 2020 regarding the prospect of the President's appointment of Jeffrey Clark as Acting Attorney General.

We would've asked Mr. Meadows about text messages sent to and from another Member of Congress in November of 2020, in which the member indicates that, quote, the President asked him to call Governor Ducey, end quote, and in which Mr. Meadows asks for contact information for the attorney general of Arizona to discuss allegations of election fraud.

We would've asked Mr. Meadows about text messages sent to and received from Members of the House of Representatives and the Senate about objections to the certification of electors in certain States on January 6th. We would have asked him about text

messages sent to and received from a Senator regarding the Vice President's power to reject electors, including a text in which Mr. Meadows recounts a direct communication with President Trump who, according to Mr. Meadows in his text messages, quote, "thinks the legislators have the power, but the VP has power too," end quote.

We would have asked Mr. Meadows about text messages sent to and received from a media personality on December 12th, 2021, regarding the negative impact of President Trump's election challenges on the Senate runoff elections in Georgia, President Trump's prospects for election in 2024, and Mr. Meadows possible employment by a news channel.

We would've asked Mr. Meadows about text messages sent to and received from an organizer of the January 6th events on the Ellipse about planning the event, including details about who would speak at the event and where certain individuals would be located.

We'd ask Mr. Meadows about text messages regarding President Trump's January 2nd, 2021, phone call with Georgia Secretary of State Brad Raffensperger, including texts to and from participants in the call as it took place, as well as text messages to and received from Members of Congress after the call took place regarding strategy for dealing with criticism of the call.

We would've asked Mr. Meadows about text messages exchanged with various individuals, including Members of Congress, on January 6th, both before, during, and after the attack on the United States Capitol, including text messages encouraging Mr. Meadows to facilitate a statement by President Trump discouraging violence at the Capitol on January 6th, including a text exchange with a media personality who had encouraged the presidential statement asking people to, quote, "peacefully leave the Capitol," end quote, as well as a text sent to one of—by one of the President's family members indicating that Mr. Meadows is, quote, "pushing hard," end quote, for a statement from President Trump to, quote, "condemn this shit," end quote, happening at the Capitol.

Text messages: We would ask Mr. Meadows questions about text messages reflecting Mr. Meadows' skepticism about public statements regarding allegations of election fraud put forth by Sidney Powell and his skepticism about the veracity of claims of tampering with Dominion voting machines.

In addition, we would've asked Mr. Meadows questions about specific representations in a book he has authored, *The Chief's Chief*, in which he recounts various facts relevant to the select committee's investigation and directly describes communications with the President, including on page 259, quote, "A few sentences later, President Trump ad libbed a line that no one had

seen before, saying, 'Now it is up to Congress to confront this egregious assault on our democracy. After this, we're going to walk down—and I'll be there with you—we're going to walk down to the Capitol and we're going to cheer on our brave Senators and Congressmen and women. We're probably not going to be cheering so much for some of them because you'll never take back our country with weakness. You have to show strength. You have to be strong.' When he got off stage, President Trump let me know that he had been speaking metaphorically about the walk to the Capitol. He knew as well as anyone that we wouldn't organize a trip like that on such short notice," end quote.

We would've asked Mr. Meadows about another passage in his book that appears on page 261. Quote, "In the aftermath of the attack, President Trump was mortified. He knew the media would take this terrible incident and twist it around. He also knew his days on Twitter were probably numbered," end quote.

We would've asked Mr. Meadows about another passage on page 261 in his book. Quote, "'Mark,' Trump would say to me, 'Look, if I lost, I'd have no problem admitting it. I would sit back and retire and probably have a much easier life, but I didn't lose. People need me to get back to work. We're not done yet,'" end quote.

We would've asked Mr. Meadows about another passage in his book on page 264 that reflects, quote, "On January 20th, with less than 5 hours left in his historic Presidency, at a time when most outgoing Presidents would be quietly making notes for their memoirs and taking stock of their time in the White House, President Trump was being forced to defend his legacy yet again. 'How do we look in Congress?' President Trump asked. 'I've heard that there are some Republicans who might be turning against us. That would be a very unwise thing for them to do,'" end quote.

We would've asked him about another passage on page 265 of his book. Quote, "But I assured President Trump, once again, that all would be well with the impeachment trial, and we discussed what my role in the proceedings would be after we left the White House," end quote.

We would've asked him about the passage on page 266 in his book where he recounts, quote, "On the phone on January 20th, President Trump spoke as if he wasn't planning to go anywhere. He mentioned the long list of pardons we hadn't been able to complete largely due to the slowness on the part of various attorneys in the Federal Government. He wondered again about the precise details of the impeachment trial, including how much money the new lawyers would charge and how we could best defend him against the Democrats' attacks," end quote.

These passages reflect direct communications between Mr. Meadows and

President Trump directly impacting his claims of executive privilege.

Finally, we would ask Mr. Meadows questions about statements in his book about his interactions with the Department of Justice. Specifically, he addresses such interactions with the Department of Justice on pages 257 and 258 of his book, in which he says, quote, “It didn’t surprise me that our many referrals to the Department of Justice were not seriously investigated. I never believed they would, given the track record of that Department in President Trump’s first term,” end quote.

Again, statements in Mr. Meadows’ book directly reflect subject matters

that the select committee seeks to develop, and his public statements directly impact his claims of executive privilege.

But, as of the current time, which is now 10:17, Mr. Meadows still has not appeared to cure his earlier noncompliance with the select committee’s September 23rd, 2021, subpoena. So we will not be able to ask any of those questions about the documents and messages that he apparently agrees are relevant to the select committee and not protected by any protective privilege.

I’d also note for the record that Congressman ADAM SCHIFF, a member of the select committee, has joined and,

again, that member of the committee, Representative LOFGREN, has joined.

Before we close the record, Mr. SCHIFF or Ms. LOFGREN, do either of you have any comments to make for the record?

Mr. SCHIFF. I do not. Thank you.

\* \* \* \*. Ms. LOFGREN, anything?

Ms. LOFGREN. I’m good.

\* \* \* \*. Okay. Thank you.

Accordingly, the record of this deposition of Mark Meadows, now at 10:18 a.m., is closed.

[Whereupon, at 10:18 a.m., the deposition was concluded.]

Additional correspondence between the Select Committee and counsel for Mr. Meadows is as follows (continuing the exhibit numbering from above):

5. Letter from Counsel to Mark Meadows to Chairman THOMPSON, Nov. 19, 2021.

6. Letter from Chairman THOMPSON to Counsel to Mark Meadows, Nov. 22, 2021.

7. Letter from Counsel to Mark Meadows to Chairman THOMPSON, Nov. 26, 2021.

8. Letter from Counsel to Mark Meadows to Chairman THOMPSON, Nov. 26, 2021.

9. Letter from Chairman THOMPSON to Counsel to Mark Meadows, Nov. 28, 2021.

10. Letter from Counsel to Mark Meadows to Chairman THOMPSON, Dec. 3, 2021.

11. Letter from Counsel to Mark Meadows to Chairman THOMPSON, Dec. 7, 2021.

12. Letter from Chairman THOMPSON to Counsel to Mark Meadows, Dec. 7, 2021.

**Exhibit 5 — Letter from Counsel to Mark  
Meadows to Chairman Thompson, Nov. 19, 2021**

McGuireWoods LLP

George J. Terwilliger III

McGUIREWOODS

November 19, 2021

VIA EMAIL

Honorable Bennie G. Thompson, Chairman  
Honorable Liz Cheney, Vice Chair  
Select Committee to Investigate the January 6th Attack on the United States Capitol  
U.S. House of Representatives

Re: Subpoenas Served on Honorable Mark R. Meadows

Dear Chair Thompson and Vice Chair Cheney:

I write further to our discussions about the Select Committee's subpoena to former White House Chief of Staff Mark R. Meadows and to propose again, in greater detail, that we explore an accommodation that would allow the Select Committee to obtain useful information to further its legislative purpose while allowing both the Committee and Mr. Meadows to maintain their respective positions on relevant legal issues. We recognize that the Select Committee believes that it is entitled to enforce the full scope of its subpoena. The Select Committee likewise is in a position to recognize that Mr. Meadows disagrees with that position. If pressed, we would expect that disagreement to require judicial resolution, which could take a substantial amount of time and resources.

Therefore, consistent with the long tradition and practice in disputes between Congress and Executive Branch officials (both current and former), we propose below an accommodation that would allow the Select Committee to obtain information outside the compulsion of the subpoena and without requiring either side to give up its legal position.

We propose that, as an initial step, Mr. Meadows provide written responses to written interrogatories from the Select Committee on a defined set of topics, with the specific subject matter for questions to be discussed between the Select Committee's counsel and counsel for Mr. Meadows. In a letter dated November 11, 2021, which was copied to the Select Committee, the Office of White House Counsel informed me that President Biden is not asserting privilege over



Select Committee to Investigate the January 6th Attack on the United States Capitol  
November 19, 2021  
Page 2

certain categories of information within the scope of the Select Committee's inquiry. Within those categories, we would propose an initial focus on the following topics:

***Events on or about January 6, 2021.*** Mr. Meadows can provide written responses to the Select Committee about his conduct, activities, and communications on January 5–6, 2021, with the caveat that he is not able to disclose communications with or on behalf of the President, or with other senior White House aides, absent the former President's agreement. (As discussed further below, we are willing to seek that agreement in connection with specific questions or sets of questions concerning a particular topic). To the extent the Select Committee already has records of Mr. Meadows's activities from Presidential records or other sources, he is willing to provide context or other relevant background, consistent with the limitations described above.

***Communications with the Department of Justice.*** Mr. Meadows can provide written responses to the Select Committee about his communications with the Department of Justice concerning the events of January 6 and concerning other post-election issues, consistent with the limitations described above.

***Other Post-Election Communications.*** We also understand that the Select Committee is interested in other post-election efforts and discussions regarding the results of the election and allegations of election fraud, including any discussions between White House officials and state officials in Georgia and elsewhere. It has been publicly announced that the district attorney in Fulton, Georgia, has impaneled or soon will impanel a special grand jury to investigate such communications. We therefore would propose deferring discussion of questions on this topic until Mr. Meadows's status, if any, in that matter can be established.

As indicated above, Mr. Meadows has a reasonable basis in fact and law to take the position that private communications that he had with or on behalf of the President, or with other senior White House aides, are subject to claims of Executive Privilege, as those communications lie at the core of Executive Privilege. Even though President Biden has purported to waive Executive Privilege in this regard, President Trump has instructed Mr. Meadows to maintain the privilege. It is not for Mr. Meadows as a witness to be forced to choose between these conflicting instructions. Nevertheless, as part of an effort to accommodate the Select Committee outside the compulsion of the subpoena, we are willing to seek the former President's agreement for Mr. Meadows to provide selective information through the means outlined above to the extent it would inform the Select Committee in furthering a valid legislative purpose. Our goal in doing so would be to avoid a dispute over Executive Privilege that might require lengthy and costly judicial resolution for all parties involved. To the extent the former President agrees, Mr. Meadows will also include that information in written responses to the Select Committee.

We submit this proposal as an initial step. Our expectation would be that, after working through this written process and after further consultation with counsel for the Select Committee, Mr. Meadows could agree outside of compulsion by subpoena to appear voluntarily for a deposition within the parameters established through the initial process.

Select Committee to Investigate the January 6th Attack on the United States Capitol  
November 19, 2021  
Page 3

\* \* \* \* \*

Thank you again for your willingness to discuss these important issues with us. We hope you will agree that the process outlined above can serve the interests of both parties and potentially avoid the prospect of time-consuming and resource-intensive litigation, all without prejudice to the prerogatives of the Select Committee or of Mr. Meadows as a former White House Chief of Staff. We will continue to stay in communication with counsel for the Select Committee, and if the Select Committee finds this proposal agreeable as an initial step, we will work quickly with them to identify the Select Committee's initial interrogatories and to begin preparing Mr. Meadows's responses.

Sincerely yours,

A handwritten signature in black ink, appearing to read "George J. Terwilliger III", with a stylized flourish at the end.

George J. Terwilliger III

cc:

A large black rectangular redaction box covering several lines of text.

**Exhibit 6 — Letter from Chairman Thompson to  
Counsel to Mark Meadows, Nov. 22, 2021**

BENNIE G. THOMPSON, MISSISSIPPI  
CHAIRMAN

ZOE LOFGREN, CALIFORNIA  
ADAM B. SCHIFF, CALIFORNIA  
PETE AGUILAR, CALIFORNIA  
STEPHANIE N. MURPHY, FLORIDA  
JAMIE RASKIN, MARYLAND  
ELAINE G. LURIA, VIRGINIA  
LIZ CHENEY, WYOMING  
ADAM KINZINGER, ILLINOIS



U.S. House of Representatives  
Washington, DC 20515

january6th.house.gov  
(202) 225-7800

## One Hundred Seventeenth Congress

### Select Committee to Investigate the January 6th Attack on the United States Capitol

November 22, 2021

Mr. George Terwilliger III  
McGuire Woods LLP

[REDACTED]

Dear Mr. Terwilliger,

The Select Committee to Investigate the January 6<sup>th</sup> Attack on the United States Capitol (“Select Committee”) has received and considered the letter you sent on November 19, 2021, a full week after your client, Mr. Mark Meadows, failed to appear for a deposition and two weeks after a deadline to produce documents.

Despite these failures, you again seek an accommodation via written interrogatories. Let me be clear, once more, on this issue: the Select Committee will not proceed with Mr. Meadows by submitting written interrogatories to him because we disagree that obtaining information from your client in writing is an appropriate accommodation. When Mr. Meadows first proposed interrogatories, he asked that the Select Committee “propound” them, but did not say that he would actually provide any substantive information in response.<sup>1</sup> Now, after his failure to comply with the Select Committee’s subpoena, he has added conditions: (1) the interrogatories can only ask questions about two days in January 2021 and Mr. Meadows’s communications with the Department of Justice; and (2) Mr. Meadows will only respond to questions about his communications “with or on behalf of the [former] president, *or* with other senior White House aides” *provided that* he first obtains the former President’s approval. These conditions stop short of an agreement to provide interrogatory responses, even if the Select Committee were inclined to consider them.

The Select Committee has attempted, on many occasions, to resolve the issues you have raised about Mr. Meadows’s compliance with the Select Committee’s subpoena. At your request, the Select Committee agreed to move the original subpoena compliance dates. When you asked for an overview of topics that the Select Committee planned to raise with your client, we accommodated your request. When you requested further accommodations, we provided additional details about the questions that the Select Committee intended to pose to Mr. Meadows in the form of a list of 16 specific topics. When you then raised, for the first time, your

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<sup>1</sup> Letter to Chairman Thompson from George Terwilliger dated November 8, 2021 (in connection with his proposal to receive interrogatories, Mr. Meadows vaguely added that he would “provide what information he can and/or articulate clear assertions of privilege where applicable to specific questions”).

Mr. George Terwilliger III

Page 2

suggestion of written interrogatories, the Select Committee provided a list of eight questions about Mr. Meadows's use of communications accounts and devices. To date, Mr. Meadows has never provided a meaningful response to the Select Committee's attempts at accommodation, has never provided any documents or any privilege log, and has not even responded to written questions that he himself invited.

This history has led the Select Committee to suspect that you are simply engaged in an effort to delay, and that Mr. Meadows has no genuine intent to offer any testimony on any relevant topic. As you know, Mr. Meadows has extensive information unequivocally relevant to this investigation, including specific knowledge regarding former President Trump's failure for over three hours to demand that his supporters leave the Capitol during the violent confrontation on January 6<sup>th</sup> and his broader efforts to undercut the results of the fall 2020 election. Given that you have now for the first time identified Mr. Meadows's potential willingness to "appear voluntarily for a deposition," we will now supply you with that opportunity so that you can demonstrate that you and your client are operating in good faith. To that end, the Select Committee will agree to convene a deposition for your client on November 29, 2021, at 10:00 a.m. At that deposition, the Select Committee will begin by asking questions addressing obviously non-privileged topics that we have raised in earlier letters.<sup>2</sup> As indicated previously, we intend to ask Mr. Meadows about his communications with individuals outside of the executive branch, including Members of Congress, state officials, and third parties. We also intend to ask Mr. Meadows questions related to his use of private email accounts, cell phones, and other communications devices on January 6<sup>th</sup> and other relevant dates, as well as the required preservation of communications and other information on such accounts and devices.<sup>3</sup> Those questions unequivocally call for non-privileged responses and are directly pertinent to the Select Committee's statutory right to obtain appropriate records from the National Archives under the Presidential Records Act. In short, there are multiple non-privileged subject matters within the scope of the Select Committee's investigation, as your most recent letter acknowledges. Again, we can conceive of no appropriate basis for your client's continued failure to appear and, at a minimum, answer these types of questions.

Your November 19 letter does not suggest any accommodation with respect to the production of documents, which to date your client has not produced. As I have stated previously, the Select Committee expects Mr. Meadows to produce documents in his possession that are responsive to the schedule set forth in the subpoena, and to assert in a privilege log any claims of executive privilege that he believes cover such documents, and on a document-by-document basis. To date, he has produced neither a single document nor a privilege log and, as a result, he remains in contempt of Congress for his failure to produce documents. Again, I have specifically asked Mr. Meadows to confirm his use and preservation of information contained within the specific cellular telephones and a personal email account mentioned above — issues that could not conceivably be covered by a privilege. He has failed to provide any information contained in those devices or accounts, or answer even those basic questions. Nonetheless, I will

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<sup>2</sup> Letters to George Terwilliger from Chairman Thompson dated October 25, November 5, November 9, and November 11, 2021.

<sup>3</sup> Letters to George Terwilliger from Chairman Thompson dated November 9 and November 11, 2021.

Mr. George Terwilliger III  
Page 3

provide him one final opportunity to produce documents responsive to the September 23 subpoena and/or a privilege log. That information must be provided no later than Friday, November 26, 2021.

The accommodations process regarding potential claims of executive privilege typically involves discussions between the executive branch and the legislative branch. Mr. Meadows represents neither. The current administration has not asserted claims of absolute immunity or executive privilege. To the contrary, the White House Counsel's Office has specifically indicated in its letter dated November 11 that "an assertion in this circumstance would be at odds with the principles that underlie the privilege."<sup>4</sup>

Nevertheless, I have in good faith considered your concerns and have proposed a course of action that reflects both that consideration and the Select Committee's need for information to fulfill its purpose of understanding the complete picture of what led to and occurred on January 6<sup>th</sup>, making recommendations for changes to the law that will protect our democracy, and help ensure that nothing like January 6<sup>th</sup> ever happens again.

If Mr. Meadows seeks further engagement with the Select Committee in a good-faith effort to begin complying with the Select Committee's subpoena, he must produce documents and/or a privilege log by noon on Friday, November 26, 2021, and appear for his deposition at 10:00am on Monday, November 29, 2021. If at that time, you believe that the Committee's questions address topics for which you intend to continue to press a privilege claim, I trust that you will object and we can continue discussing your privilege arguments. The Select Committee will defer consideration of enforcement steps regarding Mr. Meadows's non-compliance with the Select Committee's subpoena pending the November 26 production of documents and November 29 deposition.

Sincerely,



Bennie G. Thompson  
Chairman

---

<sup>4</sup> Letter to George Terwilliger from the White House dated November 11, 2021.

**Exhibit 7 — Letter from Counsel to Mark  
Meadows to Chairman Thompson, Nov. 26, 2021**

McGuireWoods LLP

George J. Terwilliger III

McGUIREWOODS

November 26, 2021

VIA EMAIL

Honorable Bennie G. Thompson, Chairman  
Honorable Liz Cheney, Vice Chair  
Select Committee to Investigate the January 6th Attack on the United States Capitol  
U.S. House of Representatives

Re: Subpoenas Served on Honorable Mark R. Meadows

Dear Chair Thompson and Vice Chair Cheney:

We have reviewed and considered your letter of November 23, 2021. We appreciate the efforts the Select Committee has made to discuss with us in correspondence the pertinent legal issues raised by the Select Committee's subpoena and to articulate the Select Committee's legal position on those issues, which you no doubt believe in good faith to be correct. Nonetheless, your letter is mistaken in several material respects which I will address just briefly.

Contrary to your suggestion that we are operating in bad faith, we have asserted the position that Mr. Meadows, as a former senior White House Official, is immune to being compelled to appear before Congress, period. That is the same position taken by the Department of Justice under Administrations of both political parties on numerous occasions and in fact asserted forcefully by then Attorney General Janet Reno. We have also taken the position that much of the matters about which the Committee would inquire of Mr. Meadows are subject to Executive Privilege, which is both generally and specifically recognized by the courts as a valid basis for a witness to refuse to answer such questions.

You state in your letter: "The accommodation process regarding potential claims of executive privilege typically involves discussions between the executive branch and the legislative branch. Mr. Meadows represents neither." We agree. Mr. Meadows has served in Congress, and at the times relevant to the Select Committee's inquiry, he served in the Executive Branch. But today, he is a private citizen. That is precisely why he, as a witness answering questions which would require him to provide information subject to claims of Executive Privilege arising from his



Select Committee to Investigate the January 6th Attack on the United States Capitol  
November 26, 2021  
Page 2

former service as Chief of Staff to President Trump, is not the person responsible for deciding whether to waive that privilege. In addition, I would respectfully remind you that Congress is also not the arbiter of Executive Privilege. Thus, while you have indicated in your letter that you believe there are many non-privileged subjects of inquiry that Mr. Meadows could discuss in a deposition, we may not agree with your assessment of the applicability of privilege to any given topic or specific question. When disputes about Executive Privilege arise, they are traditionally resolved by the Executive Branch itself, through a negotiated accommodation between Congress and the Executive, or through the Courts if necessary. Mr. Meadows, as a former senior White House aide, has no legal authority of which we are aware to unilaterally waive the privilege, nor is there any legal authority that obligates him to accept whatever position the Select Committee may take as to the scope or applicability of such privilege.

We also understand that the Select Committee believes that President Biden is the sole arbiter of Executive Privilege, to the exclusion of former President Trump, over questions arising from President Trump's tenure. But as you know, that is a legal question that the Supreme Court has so far left open and the subject of a pending appeal in the U.S. Court of Appeals for the D.C. Circuit. So long as that issue remains unresolved, Mr. Meadows is not in a position to disregard instructions from former President Trump to maintain privilege.

Given these disagreements and unresolved legal issues, Mr. Meadows has not been able to appear for testimony in response to the Select Committee's subpoena. But we have nevertheless been and remain willing to find mutually agreeable means to share relevant information with the Select Committee outside the context of the testimonial subpoena.

Contrary to your letter's characterization of our offer to compromise, however, our suggestion of having a voluntary interview or deposition was only *to follow* a successful effort to engage in answers to interrogatories from the Select Committee. I should note that the use of written interrogatories is specifically provided for in the Select Committee's authorizing resolution. *See* H. Res. 503, § 5(c)(5) ("The chair of the Select Committee is authorized to compel by subpoena the furnishing of information by interrogatory."). Without any substantive response whatsoever, you have rejected this offer out of hand.

Nonetheless, your letter invites Mr. Meadows to appear voluntarily for a deposition to answer questions on what you believe to be non-privileged matters. We will agree to so appear, subject to the Select Committee's agreement to the following understandings and conditions:

1. *Mr. Meadows's appearance is voluntary, that is, not subject to the compulsion of the subpoena of September 23, 2021.*
2. *The Select Committee or its staff will in good faith limit the matters of inquiry and specific questions to that which it believes to be outside the scope of Executive Privilege*
3. *Mr Meadows, through counsel, retains full right to decline to answer questions that he believes in good faith, with the advice of counsel, would require him to answer with information subject to a claim of Executive Privilege.*

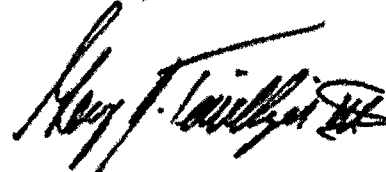
Select Committee to Investigate the January 6th Attack on the United States Capitol  
November 26, 2021  
Page 3

4. *The Select Committee will provide to Mr. Meadows's counsel, at least 3 business days in advance of the session, any and all documents it intends to show or question him about in the session.*
5. *The duration of the deposition, exclusive of any agreed upon breaks or time off the record, will not exceed 4 hours.*
6. *The Select Committee will timely provide Mr. Meadows with the written record of the deposition.*

Your letter asks for any such appearance to occur on November 29, 2021. For separate reasons as to each of us, neither Mr. Meadows nor I could appear on that date.<sup>1</sup> In addition, that date, as you know, follows a traditionally long holiday weekend, and we have not received any of the documents that the Select Committee would like Mr. Meadows to be prepared to discuss. A deposition of Monday, November 29, would therefore not permit us adequate time to prepare for the session. We are prepared, however, to work with your staff to identify a date soon thereafter for Mr. Meadows to appear as outlined above.

As to the production of documents pursuant to the subpoena to Mr. Meadows, which you also raised in your letter, we are addressing that today in a separate communication to the Select Committee.

Sincerely yours,



George J. Terwilliger III

cc:

[REDACTED]

---

<sup>1</sup> I would be happy to explain to staff orally the reasons we could not attend on that date.

**Exhibit 8 — Letter from Counsel to Mark  
Meadows to Chairman Thompson, Nov. 26, 2021**



Michael Francisco

McGUIREWOODS



November 26, 2021

VIA EMAIL

Honorable Bennie G. Thompson, Chairman  
Honorable Liz Cheney, Vice Chair  
Select Committee to Investigate the January 6th Attack on the United States Capitol  
U.S. House of Representatives



Re: *Subpoenas Served on Honorable Mark R. Meadows – Request for Production of Documents*

Dear Chair Thompson and Vice Chair Cheney:

On behalf of our client, the Honorable Mark R. Meadows, I write in response to the subpoena from the Select Committee on Finance dated September 23, 2021, and to your letter of November 23, 2021. As described below, Mr. Meadows is today making an initial production of documents in response to the subpoena and will continue working with the Select Committee to complete his response in a timely fashion. This initial production includes 1,139 documents and 6,836 pages.

As previously discussed, we believe that the vast majority of the documents responsive to the Select Committee's subpoena are Presidential records now in the custody and control of the Archivist. We have nevertheless undertaken a review of Mr. Meadows's personal devices and accounts to ascertain whether there are any responsive documents that remain in his custody and control. Previously we committed to producing any responsive, non-privileged documents that we identify. The documents included in today's production were collected from Mr. Meadows's personal Gmail account.

Select Committee to Investigate the January 6th Attack on the United States Capital  
November 26, 2021 – Documents  
Page 2

This production is based on our careful review of all incoming and outgoing messages in Mr. Meadows' personal Gmail account between the dates of November 3, 2020 to January 21, 2021. In response to the Committee's focus on this time frame in its subpoena, the review was done for all emails in this entire date range instead of through application of more limited search terms, for instance.

These documents are being produced in response to the Select Committee's subpoena. This letter and its attachments, any copies thereof, and any past or future correspondence regarding this matter, are not intended to waive any of Mr. Meadows's privileges or rights. They should not be construed as a waiver of any privilege or right. To the extent that we have identified responsive documents that are nevertheless privileged, we are providing a privilege log in connection with the production that identifies the documents withheld and the nature of the privileges asserted.

The materials included in today's production are produced in electronic format and Bates numbered: MM000001 through MM010784. The production file is password protected. We will provide instructions on accessing the production by separate email, and you should not hesitate to contact us should any issues arise.

This production and our related correspondence may include sensitive personal information. We respectfully request that these materials, including this letter and our other correspondence with the Select Committee and its staff, be treated as confidential under the House Rules; that they be afforded the fullest protection available by law and policy; and that they be treated as confidential and exempt from disclosure beyond the Select Committee. The production of any privileged or otherwise protected information which is not responsive to the subpoena is unintentional, and we request the prompt return of any such information if identified or upon our request. We further request that confidential treatment be accorded to any notes, memoranda, or other records created by or at the direction of the Select Committee or employees that reflect, refer, or relate to this letter or to any portion of the enclosed productions.

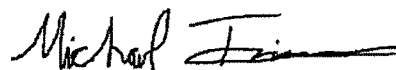
Please promptly inform me, at the address and phone number listed above, of any request seeking access to the documents or any of the above-mentioned records, including this letter, to enable us to substantiate the grounds for confidential treatment, unless the Select Committee intends to deny such request for access. At the conclusion of the Select Committee's review of the enclosed documents, we request that all copies be returned to me at the address above.

In addition, we will review text messages and other potentially responsive information from Mr. Meadows' personal cell phone. As of the date of this initial production, we have encountered technical challenges that have prevented us from reviewing these materials for potentially responsive documents. We have previously explained to staff that Mr. Meadows did not retain his cell phone after January 2021. However, some information may have been retained in the form of a backup data set from the phone. After our initial efforts to access that backup were unsuccessful, we have retained a new outside vendor to assist us in our efforts to access and review the material. We expect to have a more detailed update on the status of this data next week. We continue to use substantial diligence to seek to obtain any potentially responsive material.

Select Committee to Investigate the January 6th Attack on the United States Capital  
November 26, 2021 – Documents  
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If you have any questions regarding the enclosed materials or any issues relating to this matter, please do not hesitate to contact me.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael Francisco", with a stylized flourish at the end.

Michael Francisco\*

cc:

A large rectangular area of the document has been completely redacted with black ink, obscuring several lines of text.

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\* Not admitted in DC; admitted in CO. Application for admission to the DC bar filed; working under the direct supervision of an enrolled, active member of the DC bar

**Exhibit 9 — Letter from Chairman Thompson to  
Counsel to Mark Meadows, Nov. 28, 2021**

BENNIE G. THOMPSON, MISSISSIPPI  
CHAIRMAN

ZOE LOFGREN, CALIFORNIA  
ADAM B. SCHIFF, CALIFORNIA  
PETE AGUILAR, CALIFORNIA  
STEPHANIE N. MURPHY, FLORIDA  
JAMIE RASKIN, MARYLAND  
ELAINE G. LURIA, VIRGINIA  
LIZ CHENEY, WYOMING  
ADAM KINZINGER, ILLINOIS



U.S. House of Representatives  
Washington, DC 20515

january6th.house.gov  
(202) 225-7800

## One Hundred Seventeenth Congress

### Select Committee to Investigate the January 6th Attack on the United States Capitol

November 28, 2021

Mr. George Terwilliger III  
McGuire Woods LLP

[REDACTED]  
[REDACTED]

Dear Mr. Terwilliger,

The Select Committee to Investigate the January 6<sup>th</sup> Attack on the United States Capitol (“Select Committee”) has received and considered the letters you sent on November 26, 2021. One letter addressed Mr. Meadows’ potential deposition testimony, and the other addressed an initial production of documents and a privilege log. Separately, staff for the Select Committee received a link from your law firm to download Mr. Meadows’s initial document production that same day.

The Select Committee is working to download and process the documents Mr. Meadows produced and will review them as soon as practicable. As your letter indicates, that production includes 1,139 documents and 6,836 pages that are responsive to the Select Committee’s subpoena, as well as a privilege log describing hundreds more responsive documents that Mr. Meadows has withheld. I understand that this is an initial production, and that you are working to provide additional responsive documents including text messages taken from a personal cell phone that Mr. Meadows used during the relevant timeframe. Mr. Meadows’ production and privilege log comes well after the original and revised dates by which he was required to produce documents: October 7 and November 5, respectively. Given this delay and for the reasons stated below, I request that you complete the remaining production expeditiously, and no later than Friday, December 3, 2021.

In addition, the Select Committee is encouraged to hear that Mr. Meadows is interested in appearing for deposition testimony without further delay. I understand the extenuating circumstances for your request that we schedule the deposition for the week of December 6. I am willing to accommodate your request, *provided that* you complete production of documents from Mr. Meadows no later than Friday, December 3, 2021. More specifically, the Select Committee will convene a deposition on Wednesday, December 8, 2021, at 10:00 a.m. The deposition will be conducted pursuant to H. Res. 503, section 3(b) of H. Res. 8, and the Rules of the House of Representatives. Specifically, Mr. Meadows will be placed under oath to answer questions posed by staff and Members of the Select Committee. He will answer the questions asked or specifically articulate a privilege or other objection to such questions. As Chairman of the Select



Mr. George Terwilliger III

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Committee, I will consider and may rule upon those objections, as provided by the Rules of the House of Representatives. For your reference, I have enclosed the House Deposition Authority Regulations.

During the deposition, counsel and Members of the Select Committee will ask questions of your client that are relevant to the Select Committee's investigation. To be clear, the Select Committee's view of applicable executive privilege will be consistent with the prior letters that we have sent to you as well as the November 11, 2021, White House letter addressed to Mr. Meadows. Our hope is that Mr. Meadows will answer all questions put forth during the deposition. If, however, the Select Committee's questions address topics which you believe are protected by privilege, you will state such privilege objection on the record. After the deposition concludes, we will have a specific record on which to base continued discussion of your privilege claims.

The Select Committee hopes to limit the number of times Mr. Meadows must appear for testimony, but also recognizes that it might be necessary to continue the deposition to address issues that are not covered in this deposition, such as areas where you assert some executive-privilege-based objection that is later resolved. At this deposition, Select Committee staff will raise, in good faith, all relevant topics with Mr. Meadows in order to both obtain information that is relevant and necessary to its inquiry and narrow the scope of questions to which Mr. Meadows objects. If Mr. Meadows is forthcoming and cooperative, this process may take more than four hours, and the Select Committee cannot agree to such a time limit.

The Select Committee will endeavor to provide you, as counsel for Mr. Meadows, access to the nonpublic documents that it intends to show or question him about during the deposition that the Select Committee has received from sources other than your document production, *provided that* both you and Mr. Meadows agree to keep the documents confidential and not produce them, or otherwise disclose their contents, to any third parties. As noted above, it is imperative that we receive a complete production of documents from Mr. Meadows by December 3. This production must include, but not be limited to, production of text messages and other information contained in Mr. Meadows' personal cellular device(s). The Select Committee is also willing to provide access to the written record of the deposition upon the completion of the deposition pursuant to House rules.

I trust that Mr. Meadows' stated position indicates a willingness to cooperate with the Select Committee. If so, he must complete his document production by Friday, December 3, 2021, and appear for a deposition at 10:00 a.m. on Wednesday, December 8, 2021. As was true in the letter that I sent dated November 22, 2021, the Select Committee will defer consideration of enforcement steps regarding Mr. Meadows' non-compliance with the Select Committee's September 23, 2021, subpoena pending the December 8, 2021, deposition.

Mr. George Terwilliger III

Page 3

Please find the previously mentioned enclosures to this letter below. I look forward to your speedy reply.

Sincerely,

A handwritten signature in black ink, reading "Bennie G. Thompson". The signature is written in a cursive style with a large, stylized "B" and "T".

Bennie G. Thompson  
Chairman

Enclosures.

## H. Res. 8

### *In the House of Representatives, U. S.,*

*January 4, 2021.*

*Resolved,*

#### **SECTION 1. ADOPTION OF THE RULES OF THE ONE HUNDRED SIXTEENTH CONGRESS.**

The Rules of the House of Representatives of the One Hundred Sixteenth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Sixteenth Congress, are adopted as the Rules of the House of Representatives of the One Hundred Seventeenth Congress, with amendments to the standing rules as provided in section 2, and with other orders as provided in this resolution.

#### **SEC. 2. CHANGES TO THE STANDING RULES.**

(a) CONFORMING CHANGE.—In clause 2(i) of rule II—

(1) strike the designation of subparagraph (1); and

(2) strike subparagraph (2).

(b) OFFICE OF DIVERSITY AND INCLUSION AND OFFICE OF THE WHISTLEBLOWER OMBUDS.—

**SEC. 3. SEPARATE ORDERS.**

(a) **MEMBER DAY HEARING REQUIREMENT.**—During the first session of the One Hundred Seventeenth Congress, each standing committee (other than the Committee on Ethics) or each subcommittee thereof (other than a subcommittee on oversight) shall hold a hearing at which it receives testimony from Members, Delegates, and the Resident Commissioner on proposed legislation within its jurisdiction, except that the Committee on Rules may hold such hearing during the second session of the One Hundred Seventeenth Congress.

(b) **DEPOSITION AUTHORITY.**—

(1) During the One Hundred Seventeenth Congress, the chair of a standing committee (other than the Committee on Rules), and the chair of the Permanent Select Committee on Intelligence, upon consultation with the ranking minority member of such committee, may order the taking of depositions, including pursuant to subpoena, by a member or counsel of such committee.

(2) Depositions taken under the authority prescribed in this subsection shall be subject to regulations issued by the chair of the Committee on Rules and printed in the Congressional Record.

(c) **WAR POWERS RESOLUTION.**—During the One Hundred Seventeenth Congress, a motion to discharge a measure introduced pursuant to section 6 or section 7 of the War

January 4, 2021

CONGRESSIONAL RECORD—HOUSE

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health, safety, and well-being of others present in the Chamber and surrounding areas. Members and staff will not be permitted to enter the Hall of the House without wearing a mask. Masks will be available at the entry points for any Member who forgets to bring one. The Chair views the failure to wear a mask as a serious breach of decorum. The Sergeant-at-Arms is directed to enforce this policy. Based upon the health and safety guidance from the attending physician and the Sergeant-at-Arms, the Chair would further advise that all Members should leave the Chamber promptly after casting their votes. Furthermore, Members should avoid congregating in the rooms leading to the Chamber, including the Speaker's lobby. The Chair will continue the practice of providing small groups of Members with a minimum of 5 minutes within which to cast their votes. Members are encouraged to vote with their previously assigned group. After voting, Members must clear the Chamber to allow the next group a safe and sufficient opportunity to vote. It is essential for the health and safety of Members, staff, and the U.S. Capitol Police to consistently practice social distancing and to ensure that a safe capacity be maintained in the Chamber at all times. To that end, the Chair appreciates the cooperation of Members and staff in preserving order and decorum in the Chamber and in displaying respect and safety for one another by wearing a mask and practicing social distancing. All announced policies, including those addressing decorum in debate and the conduct of votes by electronic device, shall be carried out in harmony with this policy during the pendency of a covered period.

#### 117TH CONGRESS REGULATIONS FOR USE OF DEPOSITION AUTHORITY

COMMITTEE ON RULES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 4, 2021

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

MADAM SPEAKER: Pursuant to section 3(b) of House Resolution 8, 117th Congress, I hereby submit the following regulations regarding the conduct of depositions by committee and select committee counsel for printing in the Congressional Record.

Sincerely,

JAMES P. MCGOVERN,  
Chairman, Committee on Rules.  
REGULATIONS FOR THE USE OF DEPOSITION AUTHORITY

1. Notices for the taking of depositions shall specify the date, time, and place of examination. Depositions shall be taken under oath administered by a member or a person otherwise authorized to administer oaths. Depositions may continue from day to day.

2. Consultation with the ranking minority member shall include three days' notice before any deposition is taken. All members of the committee shall also receive three days written notice that a deposition will be taken, except in exigent circumstances. For purposes of these procedures, a day shall not include Saturdays, Sundays, or legal holidays except when the House is in session on such a day.

3. Witnesses may be accompanied at a deposition by personal, nongovernmental counsel to advise them of their rights. Only members, committee staff designated by the chair or ranking minority member, an official reporter, the witness, and the witness's counsel are permitted to attend. Observers or counsel for other persons, including counsel for government agencies, may not attend.

4. The chair of the committee noticing the deposition may designate that deposition as part of a joint investigation between committees, and in that case, provide notice to the members of the committees. If such a designation is made, the chair and ranking minority member of the additional committee(s) may designate committee staff to attend pursuant to regulation 3. Members and designated staff of the committees may attend and ask questions as set forth below.

5. A deposition shall be conducted by any member or committee counsel designated by the chair or ranking minority member of the Committee that noticed the deposition. When depositions are conducted by committee counsel, there shall be no more than two committee counsel permitted to question a witness per round. One of the committee counsel shall be designated by the chair and the other by the ranking minority member per round.

6. Deposition questions shall be propounded in rounds. The length of each round shall not exceed 60 minutes per side, and shall provide equal time to the majority and the minority. In each round, the member(s) or committee counsel designated by the chair shall ask questions first, and the member(s) or committee counsel designated by the ranking minority member shall ask questions second.

7. Objections must be stated concisely and in a non-argumentative and non-suggestive manner. A witness's counsel may not instruct a witness to refuse to answer a question, except to preserve a privilege. In the event of professional, ethical, or other misconduct by the witness's counsel during the deposition, the Committee may take any appropriate disciplinary action. The witness may refuse to answer a question only to preserve a privilege. When the witness has refused to answer a question to preserve a privilege, members or staff may (1) proceed with the deposition, or (2) either at that time or at a subsequent time, seek a ruling from the Chair either by telephone or otherwise. If the Chair overrules any such objection and thereby orders a witness to answer any question to which an objection was lodged, the witness shall be ordered to answer. If a member of the committee chooses to appeal the ruling of the chair, such appeal must be made within three days, in writing, and shall be preserved for committee consideration. The Committee's ruling on appeal shall be filed with the clerk of the Committee and shall be provided to the members and witness no less than three days before the reconvened deposition. A deponent who refuses to answer a question after being directed to answer by the chair may be subject to sanction, except that no sanctions may be imposed if the ruling of the chair is reversed by the committee on appeal.

8. The Committee chair shall ensure that the testimony is either transcribed or electronically recorded or both. If a witness's testimony is transcribed, the witness or the witness's counsel shall be afforded an opportunity to review a copy. No later than five days after the witness has been notified of the opportunity to review the transcript, the witness may submit suggested changes to the chair. Committee staff may make any typographical and technical changes. Substantive changes, modifications, clarifications, or amendments to the deposition transcript submitted by the witness must be accompanied by a letter signed by the witness requesting the changes and a statement of the witness's reasons for each proposed change. Any substantive changes, modifications, clarifications, or amendments shall be included as an appendix to the transcript conditioned upon the witness signing the transcript.

9. The individual administering the oath, if other than a member, shall certify on the transcript that the witness was duly sworn. The transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall be filed, together with any electronic recording, with the clerk of the committee in Washington, DC. Depositions shall be considered to have been taken in Washington, DC, as well as the location actually taken once filed there with the clerk of the committee for the committee's use. The chair and the ranking minority member shall be provided with a copy of the transcripts of the deposition at the same time.

10. The chair and ranking minority member shall consult regarding the release of deposition testimony, transcripts, or recordings, and portions thereof. If either objects in writing to a proposed release of a deposition testimony, transcript, or recording, or a portion thereof, the matter shall be promptly referred to the committee for resolution.

11. A witness shall not be required to testify unless the witness has been provided with a copy of section 3(b) of H. Res. 8, 117th Congress, and these regulations.

#### REMOTE COMMITTEE PROCEEDINGS REGULATIONS PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

COMMITTEE ON RULES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 4, 2021.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

MADAM SPEAKER: Pursuant to section 3(s) of House Resolution 8, 117th Congress, I hereby submit the following regulations regarding remote committee proceedings for printing in the Congressional Record.

Sincerely,

JAMES P. MCGOVERN,  
Chairman,  
Committee on Rules.

#### REMOTE COMMITTEE PROCEEDINGS REGULATIONS PURSUANT TO HOUSE RESOLUTION 8

##### A. PRESENCE AND VOTING

1. Members participating remotely in a committee proceeding must be visible on the software platform's video function to be considered in attendance and to participate unless connectivity issues or other technical problems render the member unable to fully participate on camera (except as provided in regulations A.2 and A.3).

2. The exception in regulation A.1 for connectivity issues or other technical problems does not apply if a point of order has been made that a quorum is not present. Members participating remotely must be visible on the software platform's video function in order to be counted for the purpose of establishing a quorum.

3. The exception in regulation A.1 for connectivity issues or other technical problems does not apply during a vote. Members participating remotely must be visible on the software platform's video function in order to vote.

4. Members participating remotely off-camera due to connectivity issues or other technical problems pursuant to regulation A.1 must inform committee majority and minority staff either directly or through staff.

5. The chair shall make a good faith effort to provide every member experiencing connectivity issues an opportunity to participate fully in the proceedings, subject to regulations A.2 and A.3.

**Exhibit 10 — Letter from Counsel to Mark  
Meadows to Chairman Thompson, Dec. 3, 2021**



December 3, 2021

VIA EMAIL

Honorable Bennie G. Thompson, Chairman  
Honorable Liz Cheney, Vice Chair  
Select Committee to Investigate the January 6th Attack on the United States Capitol  
U.S. House of Representatives  
[Redacted Address]

Re: *Subpoenas Served on Honorable Mark R. Meadows – Request for Production of Documents*

Dear Chair Thompson and Vice Chair Cheney:

On behalf of our client, the Honorable Mark R. Meadows, I write in response to the subpoena from the Select Committee to Investigate the January 6th Attack on the United States Capitol dated September 23, 2021, and to your letter of November 23, 2021. As described below, Mr. Meadows is today making a continuing production of documents in response to the subpoena. This production includes 2,319 documents and 2,514 pages. For text messages withheld as privileged, there are 38 text message threads with attorney-client privilege and 23 text message threads with executive privilege.

Previously we committed to producing any responsive, non-privileged documents that we identify. The documents included in today's production were collected primarily from backup data from Mr. Meadows's personal devices. As we have previously explained, Mr. Meadows no longer has his personal cell phone available to him; this production is based on all remaining available data from that device.

Select Committee to Investigate the January 6th Attack on the United States Capitol  
December 3, 2021 – Documents  
Page 2

This production is based on our careful review of all incoming and outgoing text messages in Mr. Meadows's custody or control between the dates of November 3, 2020 to January 21, 2021 as well as any available attachments or other identifiable documents from Mr. Meadows's personal computer. In response to the Select Committee's focus on this time frame in its subpoena, the review was done for all text messages in this entire date range instead of through application of more limited search terms, for instance.

These documents are being produced in response to the Select Committee's subpoena. This letter and its attachments, any copies thereof, and any past or future correspondence regarding this matter, are not intended to waive any of Mr. Meadows's privileges or rights. They should not be construed as a waiver of any privilege or right. To the extent that we have identified responsive documents that are nevertheless privileged, we are providing a privilege log in connection with the production that identifies the documents withheld and the nature of the privileges asserted.

The materials included in today's production are produced in electronic format and Bates numbered: MM010785 through MM015356. The production file is password protected. We will provide instructions on accessing the production by separate email, and you should not hesitate to contact us should any issues arise.

Today Mr. Meadows is also producing some non-privileged, responsive emails and attachments that were recovered from his personal computer. Most communications recovered from this device were associated with his personal email account. Thus, we have previously reviewed for responsiveness and privilege and produced appropriate communications to the Select Committee. Any responsive, nonprivileged documents not previously reviewed are being produced today. This production includes 20 documents in 42 pages.

As with the initial production, this production and our related correspondence may include sensitive personal information. We respectfully request that these materials, including this letter and our other correspondence with the Select Committee and its staff, be treated as confidential under the House Rules; that they be afforded the fullest protection available by law and policy; and that they be treated as confidential and exempt from disclosure beyond the Select Committee. The production of any privileged or otherwise protected information which is not responsive to the subpoena is unintentional, and we request the prompt return of any such information if identified or upon our request. We further request that confidential treatment be accorded to any notes, memoranda, or other records created by or at the direction of the Select Committee or employees that reflect, refer, or relate to this letter or to any portion of the enclosed productions.

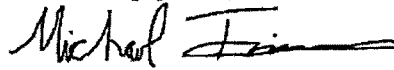
Please promptly inform me, at the address and phone number listed above, of any request seeking access to the documents or any of the above-mentioned records, including this letter, to enable us to substantiate the grounds for confidential treatment, unless the Select Committee intends to deny such request for access. At the conclusion of the Select Committee's review of the enclosed documents, we request that all copies be returned to me at the address above.



Select Committee to Investigate the January 6th Attack on the United States Capitol  
December 3, 2021 – Documents  
Page 3

If you have any questions regarding the enclosed materials or any issues relating to this matter, please do not hesitate to contact me.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael Francisco", with a stylized flourish at the end.

Michael Francisco\*

cc:

A large black rectangular redaction box covering several lines of text in the distribution list.

---

\* Not admitted in DC; admitted in CO. Application for admission to the DC bar filed; working under the direct supervision of an enrolled, active member of the DC bar

**Exhibit 11 — Letter from Counsel to Mark  
Meadows to Chairman Thompson, Dec. 7, 2021**



George J. Terwilliger III

McGUIREWOODS

December 7, 2021

VIA EMAIL

Honorable Bennie G. Thompson, Chairman  
Honorable Liz Cheney, Vice Chair  
Select Committee to Investigate the January 6th Attack on the United States Capitol  
U.S. House of Representatives

Re: Subpoenas Served on Honorable Mark R. Meadows

Dear Chair Thompson and Vice Chair Cheney:

Over the last several weeks, Mr. Meadows has consistently sought in good faith to pursue an accommodation with the Select Committee and up until yesterday we believed that could be obtained. We acted on the belief that the Select Committee would receive, also in good faith, relevant, responsive but non-privileged facts. We have consistently communicated to the Select Committee that Mr. Meadows is precluded from making a unilateral decision to waive Executive Privilege claims asserted by the former president.

We agreed to provide thousands of pages of responsive documents and Mr. Meadows was willing to appear voluntarily, not under compulsion of the Select Committee's subpoena to him, for a deposition to answer questions about non-privileged matters. Now actions by the Select Committee have made such an appearance untenable. In short, we now have every indication from the information supplied to us last Friday - upon which Mr. Meadows could expect to be questioned - that the Select Committee has no intention of respecting boundaries concerning Executive Privilege. In addition, we learned over the weekend that the Select Committee had, without even the basic courtesy of notice to us, issued wide ranging subpoenas for information from a third party communications provider without regard to either the broad breadth of the information sought, which would include intensely personal communications of no moment to any legitimate matters of interest to the Select Committee, nor to the potentially privileged status of the information demanded. Moreover, Mr. Chairman, your recent comments in regard to another

Select Committee to Investigate the January 6th Attack on the United States Capitol  
December 7, 2021  
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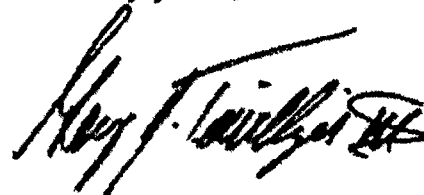
witness that his assertion of 5th Amendment rights before the Select Committee is tantamount to an admission of guilt calls into question for us what we had hoped would be the Select Committee's commitment to fundamental fairness in dealing with witnesses.

As a result of careful and deliberate consideration of these factors, we now must decline the opportunity to appear voluntarily for a deposition. It is well-established that Congress's subpoena authority is limited to the pursuit of a legitimate legislative purpose. Congress has no authority to conduct law enforcement investigations or free-standing "fact finding" missions. Even where there is a legislative purpose, requests that implicate the Separation of Powers by targeting current or former Executive officials must be narrowly tailored. Yet again, with the breadth of its subpoenas and its pugnacious approach, the Select Committee has made clear that it does not intend to respect these important constitutional limits.

\* \* \* \* \*

Mr. Meadows proudly served as Chief of Staff to President Trump and in that role assumed responsibility to protect Executive Privilege during and after his tenure. He assumed that responsibility not for his own benefit but for the benefit of all those who will serve after him, including future presidents. His appreciation for our constitutional system and for the Separation of Powers dictates that he cannot voluntarily appear under these circumstances. Nonetheless, as we have before, we reiterate our willingness to consider an interrogatory process of Select Committee written questions and answers from Mr. Meadows so that there might be both an orderly process and a clear record of questions and related assertions of privilege where appropriate.

Sincerely yours,



George J. Terwilliger III

cc:



**Exhibit 12 — Letter from Chairman Thompson to  
Counsel to Mark Meadows, Dec. 7, 2021**

BENNIE G. THOMPSON, MISSISSIPPI  
CHAIRMAN

ZOE LÖFGREN, CALIFORNIA  
ADAM B. SCHIFF, CALIFORNIA  
PETE AGUILAR, CALIFORNIA  
STEPHANIE N. MURPHY, FLORIDA  
JAMIE RASKIN, MARYLAND  
ELAINE G. LURIA, VIRGINIA  
LIZ CHENY, WYOMING  
ADAM KINZINGER, ILLINOIS



U S House of Representatives  
Washington, DC 20515

january6th house gov  
(202) 225-7800

## One Hundred Seventeenth Congress

### Select Committee to Investigate the January 6th Attack on the United States Capitol

December 7, 2021

Mr. George Terwilliger III  
McGuire Woods LLP

[REDACTED]  
[REDACTED]

Dear Mr. Terwilliger:

The Select Committee to Investigate the January 6th Attack on the United States Capitol (“Select Committee”) is in receipt of your letter dated December 7, 2021, regarding your client, Mr. Mark Meadows. Your letter confirms that, despite our prior efforts to facilitate a deposition for Mr. Meadows, he does not intend to cooperate with the Select Committee.

As you no doubt recall, on November 22, 2021, I sent you a letter which explained to you that Mr. Meadows had wholly failed to comply with the subpoena that the Select Committee issued to him on September 23, 2021, and offered him, in good faith, a course of action that would cure his previous non-compliance. That course required Mr. Meadows to produce documents and appear for a deposition.

Mr. Meadows has produced documents. On November 26, 2021, Mr. Meadows provided to the Select Committee certain documents that you obtained from Mr. Meadows’s personal email account and determined were responsive to the Select Committee’s subpoena. In doing so, you also provided a privilege log indicating that you withheld several hundred additional documents from Mr. Meadows’s personal email account based on claims of executive, attorney-client, or other privilege. Despite your very broad claims of privilege, Mr. Meadows has also produced documents that you apparently agree are relevant and *not* protected by any privilege at all. Those documents include: a November 7, 2020, email discussing the appointment of alternate slates of electors as part of a “direct and collateral attack” after the election; a January 5, 2021, email regarding a 38-page PowerPoint briefing titled “Election Fraud, Foreign Interference & Options for 6 JAN” that was to be provided “on the hill”; and, among others, a January 5, 2021, email about having the National Guard on standby.

Then, on December 3, 2021, you provided to the Select Committee certain relevant messages that you obtained from saved and backed up phone data from Mr. Meadows’s personal cell phone. According to representations made to us, Mr. Meadows reportedly turned in this personal device to his cell phone provider in the weeks following January 6, 2021. You also produced a privilege log indicating that you withheld over 1,000 text messages from Mr. Meadows’s personal cell phone based on similarly broad claims of executive, attorney-client, and other privileges. The text messages you did produce include a November 6, 2020, text exchange

Mr. George Terwilliger III

Page 2

with a Member of Congress apparently about appointing alternate electors in certain states as part of a plan that the Member acknowledged would be “highly controversial” and to which Mr. Meadows apparently said, “I love it”; an early January 2021 text message exchange between Mr. Meadows and an organizer of the January 6th rally on the Ellipse; and text messages about the need for the former President to issue a public statement that could have stopped the January 6th attack on the Capitol.

All of those documents raise issues about which the Select Committee would like to question Mr. Meadows and about which you appear to agree are not subject to a claim of privilege. Yet, despite your recent agreement to have Mr. Meadows to come in and answer questions in a deposition, Mr. Meadows now, once again, refuses to do so. In your December 7, 2021, letter, you specifically indicated that Mr. Meadows’s refusal to appear is motivated by, among other things, the documents that Select Committee staff provided to you in advance, pursuant to your request for an accommodation. You go on to suggest that those documents somehow indicate that the “Select Committee has no intention of respecting boundaries concerning Executive Privilege.” That assertion runs counter to the stated purpose of the December 8, 2021, deposition, which was to give Mr. Meadows a chance to answer the Select Committee’s questions or assert and articulate a specific privilege he believes protects that information from disclosure.

Indeed, the Select Committee has tried repeatedly to identify with specificity the areas of inquiry that Mr. Meadows believes are protected by a claim of executive privilege, but neither you nor Mr. Meadows has meaningfully provided that information. As a result, and as I have said numerous times, the Select Committee planned to ask Mr. Meadows questions during a deposition that are relevant to the investigation, while giving Mr. Meadows the opportunity to answer those questions or assert a claim of privilege on a question-by-question basis. That is not a lack of respect for the boundaries of executive privilege but rather an appreciation for the proper process for asserting any protective privilege.

It is also worth noting that your identification of executive privilege issues with documents that came from Mr. Meadows’ personal email account and personal cell phone raises the question of whether these materials have been transferred to the National Archives in compliance with the Presidential Records Act.

In your December 7, 2021, letter, you also cite “wide ranging subpoenas for information from a third party communications provider” that the Select Committee has issued “without regard to either the breadth of the information sought . . . nor to the potentially privileged status of the information demanded.” I assume that this representation refers to the Select Committee’s compulsion of call data records regarding particular cellular telephone numbers. Contrary to your assertion, that information does not implicate privilege, but rather concerns the date, time, and dialing information about calls and messages sent or received by the specific phone numbers indicated on the subpoena. Moreover, production of that information does not impact Mr. Meadows’s production of documents and text messages, which are the areas we seek to develop during his deposition tomorrow.

Finally, you reference news accounts regarding another witness’s “assertion of 5th Amendment rights before the Select Committee” and claim that my comments suggest that a


Mr. George Terwilliger III

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witness's assertion of 5th Amendment rights is "tantamount to an admission of guilt." That is not an accurate characterization of my position on the 5th Amendment, nor is that interpretation of my comments consistent with our discussions about the purpose of tomorrow's deposition — *i.e.*, a proceeding in which your client can assert privilege claims with sufficient particularity for further consideration. The Select Committee is trying to ascertain facts that place the January 6th attack on the Capitol in context, not conduct a law enforcement inquiry. If you appear, the Select Committee would consider and evaluate your assertion of any privilege. Your failure to do so prevents that evaluation, which brings us once again to a consideration of enforcement options. This occurs at the same time Mr. Meadows has published a book in which he discusses the January 6th attack. That he would sell his telling of the facts of that day while denying a congressional committee the opportunity to ask him about the attack on our Capitol marks an historic and aggressive defiance of Congress.

In summary, on November 12, 2021, Mr. Meadows failed to appear for the deposition required by the Select Committee's subpoena. On November 22, 2021, the Select Committee gave Mr. Meadows an opportunity to cure his non-compliance by appearing for a deposition, which was ultimately scheduled for December 8, 2021. Now, the day before the deposition, Mr. Meadows has rejected the opportunity to cure his non-compliance and made it clear that he does not intend to participate in a deposition. There is no legitimate legal basis for Mr. Meadows to refuse to cooperate with the Select Committee and answer questions about the documents he produced, the personal devices and accounts he used, the events he wrote about in his newly released book,<sup>1</sup> and, among other things, his other public statements. The Select Committee is left with no choice but to advance contempt proceedings and recommend that the body in which Mr. Meadows once served refer him for criminal prosecution.

Sincerely,

A handwritten signature in black ink, appearing to read "Bennie G. Thompson". The signature is fluid and cursive, with a large, stylized initial "B".

Bennie G. Thompson  
Chairman

---

<sup>1</sup> See Mark Meadows, *THE CHIEF'S CHIEF* (2021) (released December 7, 2021)



Mr. THOMPSON of Mississippi. Madam Speaker, by direction of the Select Committee to Investigate the January 6th Attack on the United States Capitol, I call up the resolution (H. Res. 851) recommending that the House of Representatives find Mark Randall Meadows in contempt of Congress for refusal to comply with a subpoena duly issued by the Select Committee to Investigate the January 6th Attack on the United States Capitol, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 848, the resolution is considered read.

The text of the resolution is as follows:

H. RES. 851

*Resolved*, That Mark Randall Meadows shall be found to be in contempt of Congress for failure to comply with a congressional subpoena.

*Resolved*, That pursuant to 2 U.S.C. §§ 192 and 194, the Speaker of the House of Representatives shall certify the report of the Select Committee to Investigate the January 6th Attack on the United States Capitol, detailing the refusal of Mark Randall Meadows to appear for a deposition before the Select Committee to Investigate the January 6th Attack on the United States Capitol as directed by subpoena, to the United States Attorney for the District of Columbia, to the end that Mr. Meadows be proceeded against in the manner and form provided by law.

*Resolved*, That the Speaker of the House shall otherwise take all appropriate action to enforce the subpoena.

The SPEAKER pro tempore. The resolution shall be debatable for 1 hour equally divided among and controlled by the gentleman from Mississippi (Mr. THOMPSON) and the gentlewoman from Wyoming (Ms. CHENEY), and an opponent, or their respective designees.

The gentleman from Mississippi (Mr. THOMPSON), the gentlewoman from Wyoming (Ms. CHENEY), and the gentleman from Indiana (Mr. BANKS) each will control 20 minutes.

The Chair recognizes the gentleman from Mississippi.

□ 1615

GENERAL LEAVE

Mr. THOMPSON of Mississippi. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, it is regrettable that we are back on the floor considering another criminal contempt referral, but our former colleague, Mr. Meadows, has left us no choice.

The select committee is investigating an attack on our democracy, and it is essential that witnesses co-

operate with our investigation to get answers. The law requires them to do so. And when a witness defies the law, that amounts to more than obstructing our investigation, it is an attack on the rule of law.

In September, the select committee subpoenaed Mr. Meadows for records and testimony because we believed he had information relevant to our investigation.

For weeks, we went back and forth with Mr. Meadows, through his lawyer, to try to get cooperation. We extended his initial deposition date to November 12. When the date came, he hadn't produced any documents, and he didn't show up. Throughout this time, Mr. Meadows and his representatives made a lot of noise about executive privilege and so-called absolute immunity; the idea that people who serve or served in certain senior roles are completely exempt from testifying before Congress.

Now, let's be clear. Courts have rejected absolute immunity at every opportunity, and the Justice Department has never authored an opinion that would support the sort of claim Mr. Meadows had made about his unofficial conduct. And we have lots of questions for Mr. Meadows about the unofficial conduct. And as for executive privilege, President Biden has chosen not to invoke it as far as Mr. Meadows is concerned.

So Mr. Meadows was obligated to comply with our subpoena and appear at a deposition. When he didn't, we were prepared at that point to move ahead with contempt proceedings. But at the same time, Madam Speaker, out of an abundance of fairness, we gave Mr. Meadows a final chance to cooperate.

When he faced the possibility of contempt a few weeks ago, he finally decided, in part, to do the right thing and start providing information. He turned over roughly 9,000 pages of records that he himself said couldn't be covered by any claim of privilege. He also said he would appear at a deposition with the select committee, which we scheduled for December 8.

This is key. In an investigation like ours, when you produce records, you are expected to come in and answer questions about those records. And because not even Mr. Meadows was asserting any privilege claim over these records, there is no possible justification for wholesale refusing to answer questions about them.

But that is what he did. He told us the day before his deposition—the same day his book was published—that he would no longer cooperate with our investigation, and that he wasn't coming in to be interviewed.

Put all the other arguments aside. This isn't about any sort of privilege or immunity. This is about Mr. Meadows refusing to comply with a subpoena to discuss the records he himself turned over. Now he is hiding behind excuses.

And at the end of the day, it is a simple proposition: If you are making ex-

cuses to avoid cooperating with our investigations, you are making excuses to hide the truth from the American people about what happened on January 6. You are making excuses as part of a coverup. And if you echo these excuses, if you base your arguments on these excuses, if you adopt these excuses as your own to explain why you will not take action, then you are part of that coverup, too.

I want my colleagues to think long and hard about that; because as the select committee has made clear in the last day and will continue to make clear, there was a steady stream of communication between certain Members of Congress and Mr. Meadows about matters central to our investigation.

We have questions about those communications. We will pursue those questions. And we won't let the facts be buried by a coverup.

Madam Speaker, I reserve the balance of my time.

Ms. CHENEY. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, as Chairman THOMPSON noted, we are here with great sadness. We are here recognizing and understanding the serious nature of this situation. And, Madam Speaker, we wish we had another alternative. We wish that we did not have to meet today to urge our colleagues to vote criminal contempt for one of our former colleagues and the former chief of staff to President Trump.

We don't take this step lightly.

As my colleagues have noted, and will no doubt say again today, for weeks the committee has worked with Mr. Meadows, with his counsel to reach an agreement on cooperation, to reach an agreement and accommodation.

Now, the reality, Madam Speaker, is the accommodations process is a process that takes place between the legislative branch and the executive branch. Mr. Meadows is a member of neither, and yet, the committee has taken the extra step of working to try to make sure that we do everything we can to secure Mr. Meadows' testimony.

He is improperly asserting executive and other privileges, but the vote on contempt today relates principally to his refusal to testify about messages and other communications that he admits are not privileged. He has not claimed, and he does not have, privilege to refuse entirely to testify regarding these topics.

There are just three examples I will give you this afternoon of issues which we need to speak to Mr. Meadows about and on which his testimony is required, indeed compelled by our subpoena.

First, is President Trump's failure to stop the violence when this Chamber, and indeed, the entire Capitol building was attacked and invaded. The mob that attacked this Chamber was summoned to Washington by President Trump. And as many of those involved have admitted on videotape and social

media and in Federal District Court, they were provoked to violence by President Trump's false claims that the election was stolen.

As the violence unfolded that afternoon, nearly 1 year ago, it was evident to all, not only to those of us who were in the Chamber at that time. It was covered in real time by almost every news channel. But for 187 minutes, President Trump refused to act. Let's let that sink in, Madam Speaker. He refused to act. When action by our President was required, it was essential, and it was compelled by his oath to our Constitution.

Mr. Meadows received numerous text messages which he has produced without any privilege claim imploring that Mr. Trump take the specific action we all know his duty required. Indeed, some of those text messages, Madam Speaker, came from Members in the Chamber right now, Members who understood that a violent assault was underway at the Capitol, Members who pleaded with the chief of staff to get the President to take action. Dozens of texts, including from Trump administration officials and Members of Congress urged that the President take immediate action.

I read a number of these last night at our hearing. I won't read them all today, but I will read a few of them. "Mark," one Member said: "he needs to stop this. Now." In all caps: "TELL THEM TO GO HOME." "POTUS has to come out firmly and tell the protestors to dissipate. Someone is going to get killed."

Indeed, a number of members of the press, a number of Members of this body, a member of the President's own family, all urged the President to take action because they understood that the President of the United States had a responsibility to call off the mob.

Hours passed despite this without any action by the President. All of these texts are nonprivileged. They are texts that Mr. Meadows has turned over. And they are evidence of President Trump's supreme dereliction of duty for 187 minutes. And Mr. Meadows' testimony will bear on another fundamental question before this committee, and that is whether Donald J. Trump, through action or inaction, corruptly sought to obstruct or impede Congress' official proceeding to count electoral votes.

This committee is entitled to Mr. Meadows' testimony, and it will inform our legislative judgments. But Mr. Meadows has refused to give any testimony at all, even regarding nonprivileged topics. He is in contempt of Congress.

Second, Mr. Meadows has knowledge regarding President Trump's efforts to persuade State officials to alter official election results.

In Georgia, for instance, Mr. Meadows participated in a phone call between President Trump and the Georgia secretary of state. Mr. Meadows was actually on the phone when Presi-

dent Trump asked the secretary of state to "find 11,780 votes" to change the results of the Presidential election in Georgia. That is the President of the United States telling a State official to "find 11,780 votes."

While this was happening, Mr. Meadows appears to have been texting with another participant on this call. Mr. Meadows has no conceivable privilege basis to refuse to testify on this topic. He is in contempt of Congress.

Third, in the weeks before January 6, President Trump's appointees at the Justice Department informed him repeatedly that the President's claims of election fraud were not supported by the evidence and that the election was not, in fact, stolen.

President Trump intended to appoint Jeffrey Clark as attorney general in part so that Mr. Clark could alter the Department of Justice's conclusions regarding the election. Mr. Clark has now informed this committee that he anticipates potential criminal prosecution related to these matters and, therefore, intends in upcoming testimony to invoke his Fifth Amendment privilege against self-incrimination.

As Mr. Meadows' nonprivileged texts reveal, Mr. Meadows communicated multiple times with another Member of this body who was working with Mr. Clark. Mr. Meadows has no basis to refuse to testify regarding those communications. He is in contempt.

January 6 was without precedent. There has been no stronger case in our Nation's history for a congressional investigation into the actions of a former President. This body must investigate the facts in detail, and we are entitled to ask Mr. Meadows about the nonprivileged materials he has produced to us.

Madam Speaker, I am sure you will hear my colleagues this afternoon say that there are privilege issues here that must be resolved before we can move forward. Any argument that the courts need to resolve privilege issues first is a pretext. We will question Mr. Meadows about emails and texts he gave us without any privilege claim.

Mr. Meadows' role in the Raffensperger call cannot be privileged, nor can his dealings with a Member of this body regarding Jeff Clark. This committee must get to the objective truth and ensure that January 6 never happens again.

Madam Speaker, Mr. Meadows is in contempt. He must testify. And I urge my colleagues to vote "yes" on this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. BANKS. Mr. Speaker, I yield myself such time as I may consume.

Madam Speaker, here we go again. For the first time in history, Democrats have complete control over a select committee. I hope the American people are paying close attention. I hope they see what happens when Democrats get total power. They abuse it. They intimidate, they threaten, and

they harass. And they try to put their political opponents in jail.

□ 1630

In a matter of weeks, the committee has passed three criminal contempt citations. Today, we vote on holding Mark Meadows in contempt of Congress.

On September 23, 2021, the select committee served former Congressman Meadows a subpoena for a sweeping set of documents and a deposition. In October, President Trump instructed Mr. Meadows to maintain his executive privilege in any response to that subpoena. Mr. Meadows then told the select committee that he would give them any information they requested that wasn't protected by executive privilege.

Mr. Meadows gave the select committee over 6,800 pages of information, including 1,100 documents and 2,300 text messages. Mr. Meadows agreed to sit for a deposition if it was limited to areas not protected by executive privilege. He tried to cooperate, but the select committee didn't care.

Mr. Meadows even sought an independent ruling on the question of executive privilege, but the select committee voted to hold him in contempt anyway, just like they did with Mr. Clark, who offered to participate pending the Supreme Court's decision in *Trump v. Thompson*.

Apparently, the select committee's rules go like this: Ignore the former President and don't wait for legal rulings. Immediately do everything that we say without objection, or we will refer you for criminal prosecution.

They don't care about fairness or due process. The point isn't cooperation or factfinding. They care about punishment. The point is prosecution. And, of course, the point is the headline that they are going for: Former Trump Chief of Staff found in contempt of Congress. But that headline omits the ugly and partisan truth about the select committee.

According to the committee's charter, H. Res. 503: "The Speaker shall appoint 13 Members to the select committee, five of whom shall be appointed after consultation with the minority leader." But the committee has zero members appointed in consultation with Leader MCCARTHY. And it doesn't have 13 members; it has 9.

According to the committee's charter, if Mr. Meadows had come in for a deposition, the minority must have been allowed to question Mr. Meadows for the same length of time as the majority, except no members of the committee were named by the minority.

This isn't nitpicking. The Supreme Court has found that a select committee must follow its own rules to act with legal force.

So we have the select committee as it exists legally and on paper, and then we have something completely different. I don't know what to call it, but it doesn't resemble the select committee that Democrats voted to pass

on the House floor. It is just nine members picked by Speaker PELOSI.

The group is trampling on Americans' constitutional rights and the rights of Congress, like Mr. Meadows, and current Members of Congress. They even include Americans whose sole offense, according to Chairman THOMPSON, was planning a legal, permitted, and First Amendment-protected political rally.

Thanks to media reports, we know that Democrats have seized their enemies' call and text records, geolocation data, and personal contacts. We know of hundreds of instances. It could be more.

All we know for sure about this partisan investigation is that it is massive. It is happening without accountability, and it is happening in secret.

The select committee should serve as a warning to all Americans. This is what you get when Democrats get free rein: secret snooping, harassment, contempt for the rules of Congress, criminalization of dissent, and it all ends with their opponents in jail.

Madam Speaker, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the distinguished majority leader of the House.

Mr. HOYER. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, every Member of the House ought to vote for this resolution—every one of you. I see one shaking their head vigorously “no.”

For those of us who have been here for some time, we have seen extraordinary energy exercised by the other side of the aisle in conducting oversight. Mr. Burton from Indiana summoned tens and tens more and ten thereafter, on and on and on, to hold accountable an administration with whom he did not agree and thought was not doing the right thing. And he issued subpoena after subpoena after subpoena.

The reason I say every one of us ought to vote for this is because this institution needs this power. This institution is charged under the Constitution with protecting the welfare of the American people and expanding the opportunities of our people.

To do so, as the gentlewoman from Wyoming has observed, we need to gather information, and in the conduct of gathering that information, it must be our ability to compel people to testify, to come before the Congress of the United States and tell us facts that we need.

Now, my Republican friends, when they were in charge, thought there was some type of wrongdoing, which resulted in the loss of four lives, tragically, in Benghazi, Libya. They had eight separate hearings on that issue, the last of which was the select committee led by Trey Gowdy of South Carolina. Every one of those committees reached the same conclusion, but there were eight of them.

Madam Speaker, perhaps some of my Republican friends will recall that Hillary Clinton, the Secretary of State during that time, appeared for 11 hours before one of these committees, the select committee.

Madam Speaker, I have a speech here that deals with what the gentleman from North Carolina, Mr. Meadows, has done. I have chosen not to give this speech because the issue, in my view, is not what Meadows has done, but clearly in contempt, as the gentlewoman from Wyoming pointed out so factually, but it is about this institution, about whether or not a President or anybody else can simply say, “I will not testify,” and then take months and months and months.

Now, the gentleman who just spoke, the gentleman from Indiana, laments the fact that we have this committee. But the gentleman from Indiana voted against forming an equally numbered committee to be set up to adjudge this issue. He voted against that, as did his Republican colleagues, save a few. And now he comes and says, Oh, my goodness, this is not what I wanted. But like so many of his colleagues, he voted against what he says he wanted.

Madam Speaker, the gentleman from Indiana who just spoke voted against holding in contempt Steve Bannon not because of any executive privilege. He was a private citizen, not a member of the President's Cabinet. And the gentleman from Indiana voted against having him honor a subpoena of the Congress of the United States.

Yes, it ought to be noted that, at the time of the insurrection, we had a vote on whether to confirm what court after court after court had said was a legitimate election. He voted against certifying the election of the President of the United States. So I am not surprised that the gentleman from Indiana does not want to see this subpoena honored because, Madam Speaker, I believe that he fears the information that would be brought forward. Fearing the truth is not an excuse for not honoring a subpoena of this Congress.

So, again, it is not just simply the actions of Mr. Meadows that are at issue here. What is at issue here is what power does the Congress have to get the information it needs—in this case, the most important information it needs to achieve one of its most important objectives, which the gentlewoman from Wyoming has not only talked about but has shown extraordinary courage in standing up to her party. She is, after all, the former chair of the Republican Conference, the daughter of a Vice President of the United States and former Secretary of Defense and former minority whip of this House, who has shown extraordinary courage in the face of almost united opposition on her side of the aisle, leading to her removal from the position she held.

Would that all of us all the time have the courage of our convictions that the gentlewoman from Wyoming has shown.

So I say to my colleagues, all 434 or 433 of us here—

Mr. PERRY. Madam Speaker, parliamentary privilege.

The SPEAKER pro tempore. Does the gentleman from Maryland yield?

Mr. HOYER. I do not yield.

The SPEAKER pro tempore. The gentleman from Maryland is recognized.

POINT OF ORDER

Mr. PERRY. Madam Speaker, point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. PERRY. It seems to me that my friend, the gentleman from Maryland, disparaged the gentleman from Indiana here personally and should have his words taken down.

The SPEAKER pro tempore. Is the gentleman making a demand that words be taken down?

Mr. PERRY. Yes, I am.

The SPEAKER pro tempore. The gentleman from Maryland will be seated.

The SPEAKER pro tempore. The Clerk will report the words.

The Clerk read as follows:

So I am not surprised that the gentleman from Indiana does not want to see this subpoena honored. Because, Madam Speaker, I believe that he fears the information that would be brought forward. Fearing the truth is not an excuse for not honoring a subpoena of this Congress.

The SPEAKER pro tempore. The Chair is prepared to rule.

The words of the gentleman from Maryland contain an allegation that the gentleman from Indiana fears the truth. Comparing the remarks to the precedents memorialized in Deschler-Brown Precedents, chapter 29, section 63, as well as section 370 of the House Rules and Manual, the Chair finds that the words are not accompanied by an allegation of personal mendacity and, therefore, are not unparliamentary.

PARLIAMENTARY INQUIRY

Mr. PERRY. Madam Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. PERRY. Accusing a decorated naval officer in the United States military is never in good form and should be out of order in this Chamber.

The SPEAKER pro tempore. The gentleman has not stated a parliamentary inquiry.

The gentleman from Maryland (Mr. HOYER) is recognized for his 1 minute.

Mr. HOYER. Madam Speaker, first let me say that I respect the gentleman's service in the United States Navy as I respect all of our men and women in the Armed Forces of the United States.

Let me end as I began. All of us ought to vote for this motion to hold somebody in contempt who refuses to come forth, who is clearly and, obviously, in contempt of the Congress of the United States. I urge every Member on behalf of this institution, not on behalf of any political party; on behalf of our democracy, not on behalf of Democrats; on behalf of the Constitution of

the United States to vote “yea” on this resolution.

Ms. CHENEY. Madam Speaker, I yield 3 minutes to the gentlewoman from California (Ms. LOFGREN).

□ 1730

Ms. LOFGREN. Madam Speaker, Mark Meadows, a former colleague for many of us, left Congress in 2020 to serve as chief of staff to then-President Donald Trump.

Sadly and shockingly, Mr. Meadows has admitted he played both an official and unofficial role in trying to overturn the results of the 2020 Presidential election.

He has also admitted that he has responsive and nonprivileged documents and communications relating to January 6. In fact, he already sent some of those materials to our select committee charged with preventing a future attack on our Capitol. Now, the select committee needs to speak with him about the full plot leading up to January 6.

For example, it has been reported that the White House was directing the Department of Justice to investigate outrageous and really crazy conspiracy theories to benefit Mr. Trump politically, as well as to orchestrate the dissemination of election misinformation. We need to talk to Mr. Meadows about this.

We have learned that Mr. Meadows made a surprise visit to a State-run audit in Georgia, which led to the now-infamous call in which Mr. Trump improperly asked the Georgia Secretary of State to find votes. We need to talk to Mr. Meadows about that.

We also need to ask him about text messages which he provided to our committee that show an official in Georgia texting Mr. Meadows during the Trump-Raffensperger call saying that they “need to end this call,” and emphasizing: “I don’t think this will be productive much longer.” We need to talk to Mr. Meadows about that.

We also know that during that same week in early January, Mr. Meadows was in direct contact with campaign staff and organizers of the rally at the Ellipse where his boss, the President, urged supporters to fight. We need to talk to Mr. Meadows about that.

While domestic terrorists invaded the Halls where he used to work, Mr. Meadows interacted with many people, including some of our colleagues who were here in this Chamber. We have learned many of those interactions took place on his personal device. We need to talk to Mr. Meadows about that.

Clearly, Mr. Meadows has important information about events that culminated in the violent attack on the Capitol and on our democracy. He must follow the law. He must cooperate with the select committee’s lawful requests. No one is above the law. He must be held accountable for his violation of the law.

Mr. BANKS. Madam Speaker, I include in the RECORD three articles.

First: “J6 Committee Misleading Witnesses About Republican Staff Presence,” by Mollie Hemingway, that was published in *The Federalist*.

Second: “The Democratic Norm Breakers: The January 6 committee wants to subpoena GOP phone records,” by *The Wall Street Journal* editorial page.

Third: “Civil Liberties Are Being Trampled by Exploiting ‘Insurrection’ Fears. Congress’s 1/6 Committee May Be the Worst Abuse Yet: The Unconstitutionality of the 1/6 Committee,” by Glenn Greenwald, published by *Substack*.

[From the *Federalist*, Nov. 10, 2021]

#### J6 COMMITTEE MISLEADING WITNESSES ABOUT REPUBLICAN STAFF PRESENCE

Wyoming Rep. Liz Cheney ran to CNN a few weeks ago to accuse conservative stalwart Rep. Jim Banks of falsely presenting himself as the Jan. 6 commission’s ranking member. Banks is, in fact, congressional Republicans’ choice to be their top investigator on the committee, but he has been prevented from fulfilling his duties by Speaker of the House Nancy Pelosi.

However, it’s Cheney who appears to be misrepresenting herself as the ranking member—that is, the top Republican—on the committee.

January 6 Select Committee staff have been falsely telling witnesses that Republican staff will be present for interviews, according to multiple eyewitness sources and documents. In fact, not a single Republican-appointed member of Congress nor a single staff member representing the Republican conference is part of the controversial committee.

Witnesses are being told that John Wood, a longtime friend and ally of the Cheney family, will represent Republicans when witnesses testify. But neither Cheney nor her friend is representing the Republican conference. In fact, Cheney was appointed to the committee in early July by Pelosi herself.

“John Wood works for the Democrat Party, just like Liz Cheney, who was appointed by Pelosi and is not the Ranking Member of the Select Committee. She is misleading witnesses, before they testify under penalty of law, about the motives and the position of the person questioning them,” said Banks, who has continued leading Republicans’ investigation of the federal government’s handling of the Jan. 6 riot at the Capitol. Cheney’s work with CNN was designed to prevent him from being able to gain answers to the questions the select committee was ostensibly set up to answer.

Cheney was given six days to explain whether she considers herself just the Democrat-appointed vice-chair of the committee or also the Republican ranking member, as is being represented to key witnesses. She has not responded to multiple requests for comment.

The misrepresentation to witnesses is key because the absence of any ranking member—meaning, in this case, any Republican-appointed member—or minority party staff means the committee appears to be failing to adhere to ironclad rules for its work.

Pelosi “blew up” the Jan. 6 committee when she took what she herself admitted was the “unprecedented” step of refusing to seat multiple Republican-appointed members, including the highly respected Navy officer and Indiana Republican Banks, who was to be the committee’s ranking member. She also banned Rep. Jim Jordan of Ohio, who currently serves as the top Republican on the Judiciary Committee.

Pelosi chose two of her key Republican allies and anti-Trump obsessives to fill two of her slots for the committee. As such, they do not represent the Republican conference, which opposed their selection, but the Democrat conference, which supported their selection.

Cheney was promoted to vice-chair in September in thanks for her stalwart work on Pelosi’s behalf. Cheney, who has been censured by Wyoming Republicans for working against Republican voters and their interests, and who lost her position as House Conference chair for hijacking multiple briefings for Republican policy initiatives to talk about her personal vendetta against Trump, is facing precipitously low poll numbers and a challenge from popular Republican Harriet Hageman.

Cheney was joined by lame-duck Adam Kinzinger of Illinois, who recently announced his retirement rather than facing certain defeat from Illinois constituents who don’t share his anti-Trump obsession. Kinzinger was appointed by Pelosi in late July to make the committee appear more bipartisan after she’d vetoed Banks and Jordan. Cheney, her selection for vice-chair, was brought in for the sole purpose of helping Democrats with their tribunal.

The resolution establishing the committee, purportedly to investigate the federal government’s role in detecting, preventing, preparing for, and responding to the Jan. 6 riot, says depositions taken by the select committee must follow House rules.

Those rules clearly state, “Consultation with the ranking minority member shall include three days’ notice before any deposition.” Also, “A deposition shall be conducted by any member or committee counsel designated by the chair or ranking minority member of the Committee that noticed the deposition. When depositions are conducted by committee counsel, there shall be no more than two committee counsel permitted to question a witness per round. One of the committee counsel shall be designated by the chair and the other by the ranking minority member per round.”

Additionally, the rules say, “Deposition questions shall be propounded in rounds. The length of each round shall not exceed 60 minutes per side and shall provide equal time to the majority and the minority. In each round, the member(s) or committee counsel designated by the chair shall ask questions first, and the member(s) or committee counsel designated by the ranking minority member shall ask questions second.”

The point of these rules is to structure depositions so the minority and the majority counsel have the same opportunity to question witnesses and gather information for their separate reports. That’s why they rotate and why they’re allotted equal time. Having questions alternate from one hostile lawyer to another hostile lawyer who is working with the first makes a mockery of the provisions. It also means that the hostile lawyers can coordinate and cherry-pick which information to leak or publish, and which to conceal from the public because it contradicts their preferred narrative.

The rules do not envision the circumstances that accompany Pelosi’s uniparty select committee. The House Rules “become nonsensical in a situation like this,” said one congressional aide, adding, “This isn’t just a partisan investigation—it’s a coverup.”

For the select committee to be in accordance with the rules regarding consultation for depositions, Cheney must be considered simultaneously the ranking member for the minority party while also being the vice-chair for the majority party.

Hill lawyers say Pelosi’s handling of the committee casts doubt on its adherence to

the rules. Because she vetoed the ranking member from the committee, it has no ranking member. But the committee rules require consultation with the ranking member before taking certain basic actions, such as taking depositions, including those pursuant to subpoenas.

"So how can you consult with the ranking member when you don't have one?" asked one Hill attorney.

The multiple sources consulted for this article include a document which confirmed January 6 Committee staff represented to a witness that Wood would be the Republican counsel during their interview.

"If this was a real investigation, that'd land you in jail for prosecutorial misconduct," Banks said of the false representation. "Fortunately for Liz, this is a sham investigation," he added.

[From The Wall Street Journal, Sept. 1, 2021]

#### THE DEMOCRATIC NORM BREAKERS

(By The Editorial Board)

Critics feared that Speaker Nancy Pelosi's probe of the Jan. 6 Capitol riot would be partisan, and the latest proof are subpoenas for the private phone records of House Republicans. This is a violation of political norms that Democrats will come to regret.

Bennie Thompson (D., Miss.), chair of the House special committee, sent letters Monday to 35 companies, from AT&T to Facebook to Parler, asking them to preserve information about account holders charged with crimes related to, or "potentially involved with discussions" in planning, the Jan. 6 riot. The companies are requested to preserve emails, and voice, text and direct messages in preparation for subpoenas to come.

The letters contained a list of individuals whose names haven't leaked. But CNN reports that nearly a dozen House Republicans are on the committee's "evolving" radar, including Jim Jordan, ranking Member of the House Judiciary Committee.

Republicans are furious, and rightly so. Indiana Rep. Jim Banks noted in a letter to Mr. Thompson that this "authoritarian undertaking" would depart "from more than 230 years of Congressional oversight." The move recalls California Democrat Adam Schiff's public release of the call logs of Republican Rep. Devin Nunes in 2019.

At least Democrats claimed the collection of Mr. Nunes's information was incidental to other records it targeted. The special committee is using its oversight power to snoop on political opponents. They'd gain access to information far beyond the events of Jan. 6.

Democrats say they need the call lists to see if Members of Congress fomented the assault on the Capitol. They hope to confirm their narrative that the riot was a planned "insurrection," though Reuters reports that the FBI has found no such evidence in six months of looking. Conspiracy is a crime and matter for the Justice Department, not Congress.

The subpoenas are also legally dubious, coming after recent judicial warnings about the limits of Congressional fishing. The Supreme Court last year in *Trump v. Mazars* reminded Congress that subpoenas must have a "valid legislative purpose." The Jan. 6 committee has offered no such rationale. Our legal sources say the subpoenas may violate the Constitution's Speech and Debate Clause because Congress can't pass a law that would limit Members' speech.

The private companies may want to think twice about complying. In the Schiff affair, the telcos handed over call logs without even notifying the targets. Mr. Thompson's letter is demanding the same, telling companies that if they "are not able or willing to respond to this request without alerting the

subscribers or the accounts" to "please contact the Select Committee prior to proceeding." The "please" part is an admission that the committee knows it lacks authority to make such a demand.

Federal Communications Commissioner Brendan Carr says "federal law requires telecommunications carriers to protect the privacy and confidentiality of Americans' call records." He says his agency "has brought enforcement actions against carriers to ensure their compliance," and Congress isn't automatically entitled to anyone's private records.

Even if the companies don't want to fight the subpoenas in court, they have an obligation to alert targets so they can contest the subpoenas. Mr. Banks's Friday letter reminded corporate general counsels of their "legal obligation not to hand over individuals' private records unless the subject of the subpoena consents to the information being shared or the company has a court order to turn over the records."

House Minority Leader Kevin McCarthy also warned companies against rolling over to Democratic pressure, noting they could forfeit their "ability to operate in the United States." Democrats and the media spun this as pressuring companies to ignore "duly" issued subpoenas. But Mr. McCarthy was pointing out that federal privacy law protects information, and that Democrats haven't proved in court that their committee is entitled to these records.

If Democrats follow through and use their power to investigate GOP opponents, there will be no end to it. Republicans are likely to take the majority as early as 2022, and two can play at Adam Schiff's nasty game.

#### THE UNCONSTITUTIONALITY OF THE 1/6 COMMITTEE

Civil liberties abuses of this type are common when the U.S. security state scares enough people into believing that the threat they face is so acute that normal constitutional safeguards must be disregarded. What is most definitely not common, and is arguably the greatest 1/6-related civil liberties abuse of them all, is the House of Representatives Select Committee to Investigate the January 6th Attack on the United States Capitol.

To say that the investigative acts of the 1/6 Committee are radical is a wild understatement. Along with serving subpoenas on four former Trump officials, they have also served subpoenas on eleven Private citizens: people selected for interrogation precisely because they exercised their Constitutional right of free assembly by applying for and receiving a permit to hold a protest on January 6 opposing certification of the 2020 election.

When the Select 1/6 Committee recently boasted of these subpoenas in its press release, it made clear what methodology it used for selecting who it was targeting: "The committee used permit paperwork for the Jan. 6 rally to identify other individuals involved in organizing." In other words, any citizen whose name appeared on permit applications to protest was targeted for that reason alone. The committee's stated goal is "to collect information from them and their associated entities on the planning, organization, and funding of those events": to haul citizens before Congress to interrogate them on their constitutionally protected right to assemble and protest and probe their political beliefs and associations:

Press Release

SELECT COMMITTEE SUBPOENAS ORGANIZERS OF RALLIES AND EVENTS PRECEDING JANUARY 6TH INSURRECTION

[Sep 29, 2021]

Washington—Today, Chairman Bennie G. Thompson announced that the Select Com-

mittee has issued subpoenas for deposition testimony and records to individuals tied to the events and rallies leading up to the January 6th insurrection, including the January 6th rally at the Ellipse that immediately preceded the violent attack on the U.S. Capitol. The subpoenas were sent to 11 individuals as part of the Select Committee's efforts to collect information from them and their associated entities on the planning, organization, and funding of those events. In letters to rally organizers, Chairman Thompson instructed witnesses to testify at depositions and to produce a sweeping range of records.

The subpoenas seek a range of records that include materials dealing with the planning, funding, and participation in the events and bus tours; social media activity of associated entities; and communications with or involvement of Trump Administration officials and lawmakers. The Select Committee issued subpoenas for records from the following individuals and their associated entities, and has instructed the individuals to testify at depositions:

Amy Kremer, founder and Chair of WFAF.

Kylie Kremer, founder and Executive Director of WFAF.

Cynthia Chafian, submitted the first permit application on behalf of WFAF for the January 6th rally, and founder of the Eighty Percent Coalition.

Caroline Wren, listed on permit paperwork for the January 6th rally as "VIP Advisor."

Maggie Mulvaney, listed on permit paperwork for the January 6th rally as "VIP Lead."

Justin Caporale, of Event Strategies, Inc., listed on permit paperwork for the January 6th rally as "Project Manager."

Tim Unes, of Event Strategies, Inc., listed on permit paperwork for the January 6th rally as "Stage Manager."

Megan Powers, of MPowers Consulting LLC, listed on permit paperwork for the January 6th rally as "Operations Manager for Scheduling and Guidance."

Hannah Salem, of Salem Strategies LLC, listed on permit paperwork for the January 6th rally as "Operations Manager for Logistics and Communications."

Lyndon Brentnall, of RMS Protective Services, listed on permit paperwork for the January 6th rally as "On-Site supervisor."

Katrina Pierson, former Trump campaign official, reportedly involved in the organization of the January 5th and 6th rallies and was in direct communication with the former President about the rallies.

Even worse are the so-called "preservation notices" which the committee secretly issued to dozens if not hundreds of telecoms, email and cell phone providers, and other social media platforms (including Twitter and Parler), ordering those companies to retain extremely invasive data regarding the communications and physical activities of more than 100 citizens, with the obvious intent to allow the committee to subpoena those documents. The communications and physical movement data sought by the committee begins in April, 2020—nine months before the 1/6 riot. The committee refuses to make public the list of individuals it is targeting with these sweeping third-party subpoenas, but on the list are what CNN calls "many members of Congress," along with dozens of private citizens involved in obtaining the permit to protest and then promoting and planning the gathering on social media.

What makes these secret notices especially pernicious is that the committee requested that these companies not notify their customers that the committee has demanded the preservation of their data. The committee knows it lacks the power to impose a "gag order" on these companies to prevent

them from notifying their users that they received the precursor to a subpoena: a power the FBI in conjunction with courts does have. So they are relying instead on “voluntary compliance” with the gag order request, accompanied by the thuggish threat that any companies refusing to voluntarily comply risk the public relations harm of appearing to be obstructing the committee’s investigation and, worse, protecting the 1/6 “insurrectionists.”

Worse still, the committee in its preservation notices to these communications companies requested that “you do not disable, suspend, lock, cancel, or interrupt service to these subscribers or accounts solely due to this request,” and that they should first contact the committee “if you are not able or willing to respond to this request without alerting the subscribers.” The motive here is obvious: if any of these companies risk the PR hit by refusing to conceal from their customers the fact that Congress is seeking to obtain their private data, they are instructed to contact the committee instead, so that the committee can withdraw the request. That way, none of the customers will ever be aware that the committee targeted their private data and will thus never be able to challenge the legality of the committee’s acts in a court of law.

In other words, even the committee knows that its power to seek this information about private citizens lacks any convincing legal justification and, for that reason, wants to ensure that nobody has the ability to seek a judicial ruling on the legality of their actions. All of these behaviors raise serious civil liberties concerns, so much so that even left-liberal legal scholars and at least one civil liberties group (obviously not the ACLU)—petrified until now of creating any appearance that they are defending 1/6 protesters by objecting to civil liberties abuses—have begun very delicately to raise doubts and concerns about the committee’s actions.

But the most serious constitutional problem is not the specific investigative acts of the committee but the very existence of the committee itself. There is ample reason to doubt the constitutionality of this committee’s existence.

When crimes are committed in the United States, there are two branches of government—and only two—vested by the Constitution with the power to investigate criminal suspects and adjudicate guilt: the executive branch (through the FBI and DOJ) and the judiciary. Congress has no role to play in any of that, and for good and important reasons. The Constitution places limits on what the executive branch and judiciary can do when investigating suspects . . . .

Mr. BANKS. Madam Speaker, I yield as much time as he may consume to the gentleman from Ohio (Mr. JORDAN).

Mr. JORDAN. Madam Speaker, Democrats prevent Republicans from serving on the select committee. Democrats kick Republicans off standing committees. Democrats try to make D.C. a State. Democrats try to end the filibuster. They try to pack the court. They do secret impeachment hearings in the bunker of the basement of the Capitol. And they just said a naval veteran is afraid of the truth. Now, today, they are destroying executive privilege.

The United States Supreme Court held those who assist the President must be free to explore alternatives in the process of shaping policies and making decisions and to do so in a way

that many would be unwilling to do, except privately. The Court further stated Presidential administrations of both parties have asserted that the President’s close advisers are an extension of the President.

Who are these close advisers? Who are these individuals who are an extension of the President of the United States? Well, there are actually a bunch, but certainly, the three most important are the National Security Advisor, the White House counsel, and the chief of staff to the President. I would argue the chief of staff is the closest of the close. He is the one who spends more time with the Commander in Chief than anyone else.

Now, why do we have this privilege? Why do we have it? Why is the decisionmaking process between the President and his closest advisers a private matter? Why is that?

Well, guess what, the Supreme Court told us the answer to that one, too. Executive privilege serves “the necessity for protection of the public interest in candid, objective, and even . . . harsh opinions in Presidential decision-making.”

Let me just say that again: Executive privilege serves the public interest. It is for us. It is for we the people. It is not for President Trump. It is not for Mark Meadows. It is not for any President. It is not for any chief of staff. It is for the country.

But the Democrats are not going to worry about that. They are going to forget about that because they think this is good politics. They think this is all about politics.

They used to care. They used to care about executive privilege. When Republicans wanted information during the Fast and Furious scandal, President Obama asserted executive privilege for bureaucrats at the ATF and DOJ. Think about it. A bureaucrat in a Federal agency gets privilege but not the chief of staff to the President? Because Mark Meadows worked for President Trump, and Democrats have been out to get President Trump before he ever took office when they first tried to spy on him, and actually did spy on him, in 2016.

They are going to destroy this precedent even though this very question is in front of the courts as we speak. They are going to destroy this precedent that has been around since 1794 when our first President first asserted it. And for what?

What did Mark Meadows do? He gave the committee thousands of emails; he gave the committee thousands of text messages; and he agreed to come in front of the committee and answer any question as long as it didn’t violate executive privilege; the privilege that is not his to waive but belongs to the President; the privilege that the Court said is critical to executive decision-making; the privilege that exists for the benefit of we the people; and the privilege that has been around since George Washington asserted it.

But Democrats say: No, not good enough, Mr. Meadows. You have to come in and answer any and every question we ask you, or we are going to try to put you in prison.

It is so disgusting. Think about it. We weren’t allowed to know who the so-called anonymous whistleblower was when they tried to impeach President Trump, did impeach President Trump, but Democrats can destroy executive privilege? The country wasn’t allowed to know what took place in that bunker in the basement of the Capitol during impeachment, but they get to know any and everything they want about conversations between the President and his top adviser.

This is so wrong. Democrats on the select committee also can’t make up their minds. With Steve Bannon, they said: You have to appear in person to assert any privilege. And because he didn’t come, they held him in contempt.

With Jeff Clark, they said to come in person, assert privilege, which he did, and they said, no, that is not good enough. And they held him in contempt.

Now, with Mark Meadows, he gave them thousands of documents and agreed to come, and they still said not good enough. What a charade.

Make no mistake, when Democrats vote in favor of this resolution, it is a vote to put a good man in prison. Don’t pretend to argue, either. Don’t even attempt the argument: No, no, no, this is just the House acting; the Justice Department will make a decision whether to prosecute or not. Come on. Is there anyone who believes that?

It took the Attorney General all of 5 days to treat parents as terrorists, all of 5 days. If a leftwing political group can write the White House asking the Department of Justice to use the PATRIOT Act against moms and dads and 5 days later the Attorney General of the United States does just that, then what do you think he is going to do when 225 Democrats in the House of Representatives ask him to put President Trump’s chief of staff in prison?

I have been in Congress for a while, 15 years. I have seen Democrats weaponize the government to attack their political opponents. Ten years ago, they used the IRS to target good people around this country, good, conservative people. Five years ago, they abused the FISA process and used the FBI to spy on President Trump’s campaign. Two months ago, the Department of Justice used the Counterterrorism Division at the FBI to put a threat tag, a label, a designation, on parents who had the gall to go speak up at school board meetings and defend their kids, speak out against some crazy curriculum.

Now, they are destroying executive privilege. Now, they are attacking that. This might be the worst, destroying a precedent that has been around since George Washington and treating Mark Meadows as a criminal.



Mark Meadows is our former colleague. He is a good man, and he is my friend. This is as wrong as it gets. I think, deep down, everyone knows it. I think they know it as well. They know this is wrong. We have all served with this guy. He has done more work with Democrats than probably any Republican. We all know what a good man he is. This is as wrong as it gets.

Madam Speaker, they all know it, but their lust for power, their lust to get their opponents, is so intense, they don't care. I hope they reconsider. I hope we don't take this action.

Mr. THOMPSON of Mississippi. Madam Speaker, just for the record, the gentleman from Ohio is aware of congressional oversight prerogatives. When Mr. Meadows was a member and later chairman of the House Committee on Oversight and Reform, he himself demanded testimony from senior executive branch officials and chided those who failed to cooperate with congressional oversight.

Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. SCHIFF), the distinguished chairman of the House Intelligence Committee.

Mr. SCHIFF. Madam Speaker, Mark Meadows was served with a subpoena for testimony and documents 3 months ago. Since that time, he has done TV interviews, published a book, and produced over 9,000 documents about January 6, which he concedes are not covered by any form of privilege.

These documents include chilling text messages from the President's son, Don, Jr., urging Meadows to get his father to do something to stop the violence; from Members of Congress, urging that the Vice President simply ignore electoral votes he personally deems unconstitutional; and, even after the violence of January 6, bemoaning the fact that the effort to overturn the counting of the electors was a failure.

One of the texts to Meadows, on January 3, came from an unknown caller and referred to efforts to replace the leadership of the Department of Justice and said the following: "I heard Jeff Clark is getting put in on Monday. That's amazing. It will make a lot of patriots happy, and I'm personally so proud that you are at the tip of the spear and I can call you a friend."

But notwithstanding his texts, his emails, his interviews, and his book, Mr. Meadows refused to appear for his deposition, claiming that to discuss the same issues, documents, and book is somehow privileged. The inconsistency, the hypocrisy, grabs you by the neck, and so does his utter contempt of Congress.

Mr. Meadows is a central participant and witness to the events of January 6. He is at the tip of the spear. If he can get away with ignoring the law, if witnesses summoned before Congress can merely pick and choose when they comply, our power of oversight will be gone and along with it our cherished system of checks and balances.

Take away Congress' power to compel evidence and you take away Congress' power to protect the public from a dangerous and malign executive. People died on January 6. A Congress that cannot enforce its subpoenas in such an investigation is no more effective than a court in a homicide case which cannot compel witnesses to appear. We would cease to be a Congress and become a mere plaything in the hands of a despot.

Mark Meadows has demonstrated contempt for Congress and for the public. Now, he must be held in contempt. He should be prosecuted like anyone else who ignores the law because no one is above the law.

□ 1745

Ms. CHENEY. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, let me just make sure people understand some facts in light of some of the charges that the gentleman from Ohio (Mr. JORDAN) just made, which are flat false.

Number one, Mr. Meadows refused to show up for his deposition. The committee scheduled a deposition after extensive coordination with Mr. Meadows on a day that he chose, that he selected, and then he refused to show up.

He refused to show up to testify about nonprivileged questions. My colleague from Ohio can talk as much as he would like about executive privilege and about George Washington and about the extent to which it is crucial for the survival of the Republic, with which I agree, but we are talking here about testimony about nonprivileged materials.

Secondly, Madam Speaker, I would say that we all on this side of the aisle used to be in agreement about what had happened on January 6. There was a brief period of time, days perhaps, when we were in agreement.

Standing—perhaps at this microphone—the minority leader, KEVIN MCCARTHY, said this on January 13: "The President bears responsibility for Wednesday's attack on Congress by mob rioters. He should have immediately denounced the mob when he saw what was unfolding. These facts require immediate action by President Trump. . . ."

Unfortunately, Mr. MCCARTHY's position changed on this issue. Mr. MCCARTHY then worked against, voted against the resolution that would have created a bipartisan commission to investigate these matters, and he withdrew his nominees to this committee. Let me say that again. He withdrew his nominees to this committee.

This committee is engaged in critical investigative and legislative activity for which there is no greater purpose in terms of Congress' responsibility, no matter what my colleague on the other side may claim in terms of Mr. Meadows.

Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. AGUILAR).

Mr. AGUILAR. Madam Speaker, I thank the vice chair for yielding.

Last Tuesday, December 7, the select committee received a letter from Mr. Meadows' lawyer telling us that his client's appearance for a deposition had become, and I quote, "untenable".

Something else happened last Tuesday. Mr. Meadows' book, "The Chief's Chief," hit bookstores.

This is a witness who is refusing to comply with the law and answer our questions, in part because the former President has instructed him to do so, he says. He says that as chief of staff he couldn't possibly disclose the conversations with the former President.

But look at his book, and you get more information about his confidential conversations with the former President than our committee did.

This is from a section dealing with the January 6 rally at the Ellipse. "When he got off stage, President Trump let me know that he had been speaking metaphorically about the walk to the Capitol. He knew as well as anyone that we couldn't organize a trip like that on such short notice."

That part is interesting because the select committee has a lot of questions about what the President said and did on January 6. We have a lot of questions about how protests that day escalated into a riot. And Mark Meadows says he can't discuss these details with us. But apparently, he can put them in his book.

We have also learned from those very documents Mr. Meadows turned over that he was willing to discuss what the President was thinking with Members of Congress.

On January 3, Mr. Meadows was exchanging text messages with a lawmaker about the pressure campaign to get State legislatures to overturn the results of the election. In one text message to a lawmaker, Mr. Meadows wrote, "He," he presumably being President Trump, "He thinks the legislatures have the power, but the VP has power, too."

The power to do what? We could guess the power to overturn the election results, the power to reject the will of the voters. And days later a violent mob tried to get Vice President Pence to do just that. We would like to ask Mr. Meadows about that, about what the former President thought.

Days before the violent attack, Mr. Meadows was willing to share what he, President Trump, thinks, but he won't tell us.

That is why Mr. Meadows' testimony is so important. That is why his privilege claims are so outrageous, and that is why we need to adopt this resolution.

Mr. BANKS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, let's be very, very clear. The Democrats aren't interested in finding out how a disorganized horde of rioters managed to break into the United States Capitol on January 6. They don't want to learn more about

the security breakdown that occurred that day, and they don't care about protecting the Capitol from future attacks. They have proven it to us.

None of the 51 subpoenas that the committee has publicly touted have anything to do with Capitol security. As they have proven yet again today, over and over again, they only care about attacking their political enemies.

Madam Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Madam Speaker, here we are again, considering another politically motivated contempt resolution. This time the contempt resolution is for someone who actually provided this select committee with nearly 7,000 pages of non-privileged e-mails and other documents in response to a subpoena. More than 1,100 documents and more than 2,300 text messages were also provided. But that doesn't seem to be enough for this select committee. It really has turned out to be nothing more than a partisan committee just to investigate the former President.

Subpoenas are not open-ended. They are required to be narrowly tailored. Unfortunately, this committee doesn't seem to care about the rules.

I also have some serious concerns with the way whistleblowers and other witnesses are being treated by this select committee.

I asked this question the last time we were here voting on a politically motivated contempt resolution, and it still hasn't been answered by the majority, so I will ask it again: Why was the Capitol so unprotected on January 6?

There are serious security vulnerabilities that have not been addressed and won't be addressed nearly a year after January 6. There has been little real action taken in response to the Senate report on January 6 and the Honore task force findings. The Capitol Police inspector general has released 7 reports and 103 findings, yet the majority has failed to ensure these findings are implemented in a meaningful way.

We know massive changes to intel, perimeter protection, training, leadership structure, decision-making processes, and many, many more are needed, but neither this select committee nor the Committee on House Administration seem at all interested in ensuring that these changes are made.

Additionally, a number of questions, Madam Speaker, from that day still remain unanswered. I am still waiting on the Speaker of the House to answer a letter I sent her back in February that asks why the National Guard request by then Police Chief Steven Sund were denied? Why the Speaker was involved in eventually approving the request? And why the House Sergeant at Arms has refused to comply with preservation and production requests from my office? I am the ranking member of the oversight committee for the Sergeant at Arms. They will not comply with

the preservation request from the committee of jurisdiction.

We have many other unanswered questions, too, Madam Speaker. With these questions still unanswered and another purely political contempt resolution on the floor today, it makes you ask yourself, what is the majority hiding? And why are their priorities not the men and women serving in the Capitol Police and making this Capitol more secure for everyone? We need these reforms. They should have been done months ago.

Mr. THOMPSON of Mississippi. Madam Speaker, I reserve the balance of my time.

Ms. CHENEY. Madam Speaker, I yield 3½ minutes to the gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Madam Speaker, like 300 other witnesses called to meet with the January 6 committee and our staff, Mark Meadows was, indeed, cooperating with our committee and voluntarily released thousands of pages of admittedly unprivileged documents, and then something changed. His book came out and apparently embarrassed Donald Trump.

After ex-President Trump exploded and called the book fake news, Meadows performed a U-turn and suddenly refused to appear at the December 8 deposition that he had previously agreed to. He called his own book fake news, which is a pretty devastating review to render on your own book, and he brought a lawsuit against the committee alleging—check this out—that we have no legislative purpose.

Meadows' sudden vanishing act cannot vaporize the Article I legislative power of our committee to investigate the massive assault on American democracy that took place on January 6. If the January 6 committee has no legislative purpose, then none of our committees do, for the first rule of democratic government is self-preservation.

Article I, Section 8, Clause 15 gives us the power to suppress insurrections and repel invasions against the Union, and this we will do by investigating and reporting on the most dangerous political violence ever unleashed against the Capitol by a domestic enemy.

We have hundreds of questions. Yes, we do. The fact that Donald Trump, who gave Mr. Meadows a positive blurb for his book, apparently changed his mind about the book doesn't mean that Mr. Meadows can now violate a congressional subpoena, something that Meadows frequently insisted upon himself as a leading member of the House Oversight Committee, and he knows it. And we have pages and pages of his insisting upon the central importance of honoring the subpoenas of Congress.

We have hundreds of questions for Mr. Meadows about information he has already admitted is not privileged in any way at all by the executive privilege, the Fifth Amendment, or anything else.

Here is one of them: How did the following text from a House lawmaker in-

fluence Trump's plans to overthrow Joe Biden's electoral college majority of 306 to 232 after Joe Biden beat Donald Trump?

Here is what that lawmaker wrote him. On November 4, a Member of this body wrote to Meadows: Here is an aggressive strategy—one day after the election—why can't the States of Georgia, North Carolina, Pennsylvania, and other Republican-controlled State houses declare this is BS where conflicts in election not called that night and just send their own electors to vote and have it go to the SCOTUS, the Supreme Court of the United States.

How did this text influence the planning of Mark Meadows and Donald Trump to try to destroy the lawful electoral college majority that had been established by the people of the United States and the States for Joe Biden?

Those are the kind of questions that we have a right to ask Mark Meadows. He does not have any special privilege above any other citizen to get out of his civic responsibility.

Mr. BANKS. Madam Speaker, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield 3 minutes to the gentlewoman from Virginia (Mrs. LURIA), a distinguished member of the select committee, as well as the Committees on Armed Services, Homeland Security, and Veterans' Affairs.

Mrs. LURIA. Madam Speaker, this is not a vote that I ever thought I would be asked to take. The idea that this body would find a former chief of staff to the President of the United States, a former Member of Congress, in contempt was unthinkable prior to today.

We must approve this resolution, Madam Speaker, because of one simple fact: 187 minutes. For 187 minutes, Mark Meadows was besieged by cries for help from citizens, from members of the press, from members of the President's own family, and from our colleagues in this Chamber, pleading for Mr. Meadows to intervene and stop the attack.

The American people need to understand exactly what happened during that 187 minutes. Mr. Meadows knows, which is why he must come forward. It is increasingly clear that for 187 minutes the Commander in Chief was derelict of his duty. We know this because Mr. Meadows provided the evidence to the committee without any assertions of privilege.

And while the records he has handed over are helpful, there are many questions that we need to ask him.

Mr. Meadows received a text, one of several, from one lawmaker in the days leading up to the attack saying, "Check your signal." The signal messages are encrypted. Only Mr. Meadows can tell us what they said, so we would like to ask him about that.

□ 1800

In the course of our investigation, we have heard from individuals involved



in planning the rallies that immediately preceded the violent attack on the Capitol.

Those people talked with Mr. Meadows.

We want to ask him about that.

We have heard from former White House staffers who ultimately reported to Mr. Meadows as the chief of staff.

We want to ask him about that.

We have heard from Justice Department officials who received instructions to amplify false claims about the election which Mr. Meadows knew about.

We want to ask him about that.

And we have heard from State officials about the pressure campaigns and the relentless attacks on democracy in Arizona, Michigan, and Georgia.

Mr. Meadows actually went to Georgia in connection with the recount effort.

The American people must hear from him about that.

We are investigating an attempt, as one rioter simply put it, and accurately, "to overthrow the government."

Our republic—which I myself served in uniform for 20 years—has never faced a threat as acute and imminent as what we face today.

Think back to the day of the violent attack. If you believed that Mark Meadows could help stop that attack, if you were one of the Members of this body who texted him to stop that attack, you must vote "yes" today.

If, for 187 minutes, you knew the former President could call off the rioters, you must vote "yes" today.

Ms. CHENEY. Madam Speaker, I reserve the balance of my time.

Mr. BANKS. Madam Speaker, I yield myself such time as I may consume.

My Republican colleagues and I have repeatedly condemned political violence in all of its forms, including the violence on January 6.

But the chair of the House Judiciary Committee, who was elected by Democrats to oversee Federal law enforcement, secured a Presidential pardon for Susan Rosenberg, a domestic terrorist who set off a bomb in the Senate Cloakroom in 1983. That is a fact.

Merrick Garland, appointed by Democrats to head the Justice Department, helped the Obama administration to dismiss an indictment against Elizabeth Ann Duke, a fugitive who was also arrested for setting off a bomb inside the United States Capitol.

Madam Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. ROY).

Mr. ROY. Madam Speaker, I thank the gentleman from Indiana for yielding.

A year ago in January I spoke on this floor in defense of the rule of law and my view that it was incumbent upon Congress to count the electors sent to us from their respective States.

In doing so, I reminded the Chamber that we are deeply divided.

Now we are a Nation perilously divided further. And a divided Nation

must return to first principles. Those first principles include separation of powers; and in so doing, the judicious use of the congressional subpoena power as requiring, per the United States Supreme Court, "a valid legislative purpose."

That power is not, per the court, limitless, it is not, per the court, a power to expose for the sake of exposure, it is not, per the court, a power to punish, as such would be "indefensible."

The January 6th Committee was born in politics. After all, we have standing committees like Judiciary, which have had precisely zero hearings about the 500 Americans who have been charged, arrested, and are jailed regarding January 6.

And then the natural pursuit of any conspiracy associated with such crimes—no, the select committee continually moves the goalpost far from a core legislative purpose. Indeed, one target seeking to claim privilege was told to take specific tests to claim that privilege, then did so, and then was told, sorry, this was not sufficient en route to contempt.

Now we have the targeting of our friend, Mark Meadows. Congressman Meadows sought accommodation. While, yes, it is between branches, the question in privilege regarding the former President continues to be litigated for good reason.

The gentlewoman from Wyoming outlined text messages from some of us imploring action by the President. The text messages from which she read were, in fact, turned over by Mr. Meadows. He produced more than 1,100 documents totaling 9,000 pages and over 2,300 text messages.

Mr. Meadows offered to appear before the committee to address the agreed-upon nonprivileged documents.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BANKS. Madam Speaker, I yield the gentleman an additional 15 seconds.

Mr. ROY. Madam Speaker, Mr. Meadows agrees to continue to work through questions of privilege. But again, here we are facing a vote to hold Mr. Meadows in contempt.

Anger over January 6 and the events leading to it is not reason for a committee formed from that anger and in partisanship to exercise unlimited power to command attendance of production while moving the goalpost. This itself is an assault on liberty and our republic.

Mr. THOMPSON of Mississippi. Madam Speaker, I am prepared to close after the gentlewoman from Wyoming (Ms. CHENEY) and the gentleman from Indiana (Mr. BANKS).

Madam Speaker, I reserve the balance of my time.

Ms. CHENEY. Madam Speaker, I reserve the balance of my time.

Mr. BANKS. Madam Speaker, I yield 1 minute to the gentleman from Arizona (Mr. BIGGS).

Mr. BIGGS. Madam Speaker, in spite of the protestations of the gentleman

from Maryland that we heard earlier that this bogus, fraudulently organized committee has a legislative purpose that is legitimate, and he said it was self-preservation, but everything every Democrat has said today is meant to attack one person, and that is Donald Trump.

And so I am reminded of the case that gave us the long progeny of all these cases that deal with legislative purpose in committees and subpoenas, the Kilbourn case. In that case, the Court ruled the congressional investigation unconstitutional because its real purpose was not to consider legislative reforms, as the House has claimed, but rather to investigate possible crimes by this citizen, a power only the executive and judicial branches have the right to exercise.

That is what we see happening here today.

This committee is illegitimate. It has violated its own rules of creation. It has violated its own rules of creation and it says they want to find out this massive truth here about what happened on January 6. You can't have a committee to find out what happened because you are interested. You can't do that. And that is what they are doing today.

The SPEAKER pro tempore. The gentleman from Indiana is recognized for 45 seconds, if you are prepared to close.

Mr. BANKS. Madam Speaker, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Madam Speaker, I reserve the balance of my time.

Ms. CHENEY. Madam Speaker, I reserve the balance of my time.

Mr. BANKS. Madam Speaker, I yield myself the balance of my time.

Again, what you have heard today proves what we have said all along. This select committee is not at all interested in doing anything to prevent something like January 6 from ever happening again. It is all about burying their political opponents. That is what they are about to do today by holding Mr. Meadows in contempt. It is what they have already done two times before. It is an absolute shame. We shouldn't allow it to happen.

I urge all of my colleagues to vote against this resolution today.

Madam Speaker, I yield back the balance of my time.

Ms. CHENEY. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, President Trump is hiding behind executive privilege. All of my colleagues, all of them knew that what happened on January 6 was an assault on our Constitution. They knew it at the time, yet now they are defending the indefensible.

Whether we tell the truth, get to the truth and defend ourselves against it ever happening again is the moral test of our time. How we address January 6 is the moral test of our generation.

It is very sad to see how my colleagues on the other side of the aisle are addressing this issue. Mr. Meadows

has refused to testify about nonprivileged material. He is in contempt.

Madam Speaker, I yield back the balance of my time.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield myself the balance of my time.

I thank my colleague from Wyoming for supporting this effort of the committee. She has been a wonderful member of the committee, and I look forward to continuing the relationship.

I thank my colleagues who presented on the majority side today who made a clear case of why Mr. Meadows' defiance is unacceptable.

I take no joy in having to ask this House to make this referral. Mr. Meadows served here with us for 7 years, but that doesn't excuse his conduct. If anything, he should know better.

It is disappointing that he put himself in this category with a small handful of uncooperative witnesses who are drawing out a lot of attention hiding behind every privilege you can think of trying to slow down and slow-walk this process. We want to hear from them all.

But we have heard from more than 300 witnesses. Just this week, three significant individuals have already come in and spoken with us on the record. As you have heard, last night and today, we have made some significant findings. This investigation is moving ahead swiftly, but even with all that cooperation, we need to send a clear message that this sort of defiance of the rule of law cannot stand.

We need to hear from Mr. Meadows, and his refusal to appear is plain and simple contempt.

I ask all Members to support this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the rule, the previous question is ordered on the resolution.

The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BANKS. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has agreed to a joint resolution of the following title in which the concurrence of the House is requested:

S.J. Res. 33. Joint Resolution relating to increasing the debt limit.

#### COMBATING INTERNATIONAL ISLAMOPHOBIA ACT

Mr. MEEKS. Madam Speaker, pursuant to House Resolution 849, I call up

the bill (H.R. 5665) to establish in the Department of State the Office to Monitor and Combat Islamophobia, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Ms. CASTOR of Florida). Pursuant to House Resolution 849, in lieu of the amendments recommended by the Committee on Foreign Affairs, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117-23, modified by the amendment printed in House Report 117-218, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 5665

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Combating International Islamophobia Act".

#### SEC. 2. AUTHORIZATION FOR ESTABLISHMENT OF OFFICE TO MONITOR AND COMBAT ISLAMOPHOBIA.

Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended by adding at the end the following new section:

##### "SEC. 64. MONITORING AND COMBATING ISLAMOPHOBIA.

"(a) OFFICE TO MONITOR AND COMBAT ISLAMOPHOBIA.—

"(1) ESTABLISHMENT.—The Secretary of State shall establish within the Department of State an Office to Monitor and Combat Islamophobia (in this section referred to as the 'Office').

"(2) HEAD OF OFFICE.—

"(A) SPECIAL ENVOY FOR MONITORING AND COMBATING ISLAMOPHOBIA.—The head of the Office shall be the Special Envoy for Monitoring and Combating Islamophobia (in this section referred to as the 'Special Envoy').

"(B) APPOINTMENT OF SPECIAL ENVOY.—The President, by and with the advice and consent of the Senate shall appoint the Special Envoy. If the President determines that such is appropriate, the President may appoint the Special Envoy from among officers and employees of the Department of State. The Secretary of State may allow such officer or employee to retain the position (and the responsibilities associated with such position) held by such officer or employee prior to such appointment.

"(b) PURPOSE OF OFFICE.—Upon establishment, the Office shall assume primary responsibility for the following:

"(1) Monitoring and combating acts of Islamophobia and Islamophobic incitement that occur in foreign countries.

"(2) Coordinating and assisting in the preparation of that portion of the reports required by paragraph (9) of section 116(d) and subsection (k) of section 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d) and 2304) relating to an assessment and description of the nature and extent of acts of Islamophobia and Islamophobic incitement.

"(3) Coordinating and assisting in the preparation of that portion of the report required by clause (viii) of section 102(b)(1)(A) of the International Religious Freedom Act of 1998 (22 U.S.C. 6412(b)(1)(A)) relating to an assessment and description of the nature and extent of acts of Islamophobia and Islamophobic incitement.

"(c) CONSULTATIONS.—The Special Envoy shall consult with domestic and inter-

national nongovernmental organizations and multilateral organizations and institutions, as the Special Envoy considers appropriate, to carry out this section."

#### SEC. 3. INCLUSION IN DEPARTMENT OF STATE ANNUAL REPORTS OF INFORMATION CONCERNING ACTS OF ISLAMOPHOBIA IN FOREIGN COUNTRIES.

(a) INCLUSION IN ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.—The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 116(d) (22 U.S.C. 2151n(d))—

(A) by redesignating paragraphs (9), (10), (11), and (12), as paragraphs (10), (11), (12), and (13), respectively; and

(B) by inserting after paragraph (8) the following new paragraph:

"(9) wherever applicable, a description of the nature and extent of acts of Islamophobia and Islamophobic incitement that occur during the preceding year, including descriptions of—

"(A) acts of physical violence against, or harassment of, Muslim people, and acts of violence against, or vandalism of, Muslim community institutions, including schools, mosques, and cemeteries;

"(B) instances of propaganda in government and nongovernment media that attempt to justify or promote racial hatred or incite acts of violence against Muslim people;

"(C) the actions, if any, taken by the government of the country to respond to such violence and attacks or to eliminate such propaganda or incitement;

"(D) the actions taken by such government to enact and enforce laws relating to the protection of the right to religious freedom of Muslim people;

"(E) the efforts of such government to promote anti-bias and tolerance education; and

"(F) any instances of forced labor, reeducation, or the presence of concentration camps, such as those targeting the Uyghurs in the Xinjiang Uyghur Autonomous Region of the People's Republic of China;" and

(2) in section 502B (22 U.S.C. 2304), by—

(A) redesignating the second subsection (i) (relating to child marriage status) as subsection (j); and

(B) by adding at the end the following new subsection:

"(k) INFORMATION CONCERNING ACTS OF ISLAMOPHOBIA IN FOREIGN COUNTRIES.—The report required by subsection (b) shall include, wherever applicable, a description of the nature and extent of acts of Islamophobia and Islamophobic incitement that occur during the preceding year, including descriptions of—

"(1) acts of physical violence against, or harassment of, Muslim people, and acts of violence against, or vandalism of, Muslim community institutions, including schools, mosques, and cemeteries;

"(2) instances of propaganda in government and nongovernment media that attempt to justify or promote racial hatred or incite acts of violence against Muslim people;

"(3) the actions, if any, taken by the government of the country to respond to such violence and attacks or to eliminate such propaganda or incitement;

"(4) the actions taken by such government to enact and enforce laws relating to the protection of the right to religious freedom of Muslim people;

"(5) the efforts of such government to promote anti-bias and tolerance education; and

"(6) any instances of forced labor, reeducation, or the presence of concentration camps, such as those targeting the Uyghurs in the Xinjiang Uyghur Autonomous Region of the People's Republic of China."

(b) INCLUSION IN ANNUAL REPORT ON INTERNATIONAL RELIGIOUS FREEDOM.—Section 102(b)(1)(A) of the International Religious Freedom Act of 1998 (22 U.S.C. 6412(b)(1)(A)) is amended—

(1) in clause (vi), by striking “and” at the end;

(2) in clause (vii)(II), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new clause:

“(viii) wherever applicable, an assessment and description of the nature and extent of acts of Islamophobia and Islamophobic incitement that occur in that country during the preceding year, including—

“(I) acts of physical violence against, or harassment of, Muslim people, acts of violence against, or vandalism of, Muslim community institutions, instances of propaganda in government and nongovernment media that incite such acts, and statements and actions relating thereto;

“(II) the actions taken by the government of that country to respond to such violence and attacks or to eliminate such propaganda or incitement, to enact and enforce laws relating to the protection of the right to religious freedom of Muslims, and to promote anti-bias and tolerance education; and

“(III) any instances of forced labor, reeducation, or the presence of concentration camps, such as those targeting the Uyghurs in the Xinjiang Uyghur Autonomous Region of the People’s Republic of China.”.

(c) EFFECTIVE DATE OF INCLUSIONS.—The amendments made by subsections (a) and (b) shall apply beginning with the first reports required under sections 116(d) and 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n and 2304) and section 102(b)(1)(A) of the International Religious Freedom Act of 1998 (22 U.S.C. 6312(b)(1)(A)) that are submitted after the date that is 180 days after the date of the enactment of this Act.

#### SEC. 4. PROHIBITION.

No funds made available pursuant to this Act or an amendment made by this Act may be used to promote or endorse a Boycott, Divestment, Sanctions (BDS) movement ideology or used to promote or endorse a Muslim ban, such as the one instituted by former President Trump.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour, equally divided and controlled by the Chair and ranking minority member of the Committee on Foreign Affairs or their respective designees.

The gentleman from New York (Mr. MEEKS) and the gentleman from Texas (Mr. McCAUL) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. MEEKS).

GENERAL LEAVE

Mr. MEEKS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD on H.R. 5665.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MEEKS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of H.R. 5665, the Combating International Islamophobia Act.

Before I continue, let me insert in the RECORD a Statement of Adminis-

tration Policy, which begins by stating: “The administration supports passage of H.R. 5665, the Combating International Islamophobia Act.” And “Our country’s commitment to defending freedom of religion and belief goes back centuries, and the administration strongly believes that people of all faiths and backgrounds should be treated with equal dignity and respect around the world.”

#### STATEMENT OF ADMINISTRATION POLICY

H.R. 5665—COMBATTING INTERNATIONAL ISLAMOPHOBIA ACT—REP. OMAR, D-MN, AND 56 CO-SPONSORS

The Administration supports passage of H.R. 5665, the Combating International Islamophobia Act. Religious freedom is a fundamental human right. This freedom is enshrined in the Universal Declaration of Human Rights and is also part of the First Amendment to the U.S. Constitution. Our country’s commitment to defending freedom of religion and belief goes back centuries, and the Administration strongly believes that people of all faiths and backgrounds should be treated with equal dignity and respect around the world.

The Administration also supports language in H.R. 5665 that calls attention to instances of forced labor, reeducation, or the presence of concentration camps, such as those targeting Uyghur and other minorities in the Xinjiang Uyghur Autonomous Region of the People’s Republic of China.

The Administration looks forward to working with Congress to ensure the Secretary of State has the necessary flexibility and permissive authority to designate such an office and special envoy and to provide for an annual report monitoring concerning acts of Islamophobia in foreign countries.

Mr. MEEKS. Madam Speaker, I could not agree more. The world is seeing an alarming rise in anti-Muslim sentiment and violence, and we are witnessing those same trends, unfortunately, here in the United States of America.

In recent years, anti-Muslim bigotry has been on the rise with mosques being vandalized and Muslims beaten and attacked and elected officials on the receiving end of death threats and other hateful rhetoric all due to their Muslim faith.

Bigotry is unacceptable, and it is incumbent on all of us to condemn it wherever and whenever it occurs.

□ 1815

The great Reverend Dr. Martin Luther King, Jr., said: “Injustice anywhere is a threat to justice everywhere.” Not only must we address anti-Muslim bigotry here in the United States, but we are also obligated to confront that bigotry wherever and whenever we see it happening around the world.

In 2019, New Zealand witnessed the worst terrorist attack in that nation’s history when a white supremacist gunman killed 51 Muslim worshippers and injured 40 others at two mosques.

Just last week, here on the House floor, we discussed the horrific atrocities being committed against Uyghur Muslims in China and the Rohingya Muslims in Burma. We did it in a bipartisan way with my good friend and col-

league Mr. McCAUL. That is who we should be, and that is what we should represent because freedom of religion is a fundamental human right, and no one should be the target of discrimination because of their faith.

Prior to considering H.R. 5665, the House Committee on Foreign Affairs held numerous hearings, including with Secretary of State Anthony Blinken, U.N. Ambassador Linda Thomas-Greenfield, and leading academics across the country that discussed and better informed our understanding of anti-Muslim bigotry and Islamophobia.

With the passage of H.R. 5665, the establishment of an office at the State Department to help combat the scourge of Islamophobia, we take an important step toward addressing this problem. That is why I am proud to support the Combating International Islamophobia Act. This important legislation would do three very, very important but simple things. First, it would establish an office to monitor and combat Islamophobia at the State Department. Second, it would provide the authority to the executive branch to appoint a special envoy for monitoring and combating Islamophobia. And third, it will help to improve State Department reporting on threats to Muslims around the world.

Now, several of my colleagues on the other side have stated that they oppose this bill, that the bill does not define Islamophobia, but I believe, and I think they seem to have an awareness, as we all do, for Islamophobia when they criticize the bill for not doing enough to address Islamophobia against the Uyghur population in China.

Madam Speaker, discrimination and bigotry are abhorrent, and combating them is something which we should all be able to do together. That is why I am so heartened to see this important piece of legislation being led by a Muslim Member of Congress and a Jewish Member of Congress. I wish I could say by a Democratic Member of Congress and a Republican Member of Congress. That would be the right message to send to the world.

Discrimination and bigotry bring out the worst in humanity. I know that my friend and colleague feels the same way. I know he does, as do many of my colleagues on the other side. But we have to stand up and say it right here on the floor so the world knows what we stand for. If left unchecked, they can lead to terrible atrocities, to crimes against humanity, and even to genocide. So this legislation will help shine a light on this problem and help address the global rise of Islamophobia at a time in which Islamophobia remains rampant.

Madam Speaker, I strongly encourage all Members of this House to support this very timely and important bill.

Madam Speaker, I reserve the balance of my time.

Mr. McCAUL. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, let me just say to my good friend, Chairman MEEKS, we all deplore anti-Muslim persecution. No one should ever be attacked or denied their human rights or dignity because of their faith. So, we actually agree on the intent and the spirit behind this. But I do have some concerns with the wording in many parts of this legislation.

Madam Speaker, the United States Government is rightly committed to opposing these monstrous acts of violence that we have seen directed at Muslims around the world. This includes the horrific mosque shootings in Switzerland, Quebec, and Christchurch.

Our commitment must also apply to anti-Muslim persecution by foreign regimes, especially when it amounts to genocide. I am proud of our bipartisan work to condemn and punish the Burmese military's genocide against the Rohingya Muslims that began in 2016.

We are also working in a bipartisan fashion to oppose the Chinese Communist Party's ongoing genocide against the Uyghur Muslims that we passed together in a bipartisan manner on this floor just the other day.

Today, more than 1 million Muslims and other ethnic and religious minorities are held in camps and exploited as slave labor. Muslim children are ripped from their mothers' arms to be raised by the Communist Party. Muslim women are suffering systematic sexual violence, forced sterilization, and forced abortion.

Members on our side are fully committed to combating these anti-Muslim atrocities. I am proud of the work, again, that Chairman MEEKS and I were able to do together to hold the Chinese Communist Party accountable for their genocide, and I thank the gentleman for his efforts.

In addition, I am pleased that right after this bill, Chairman MCGOVERN, who has worked so hard with this committee, and Senator MARCO RUBIO in the Senate will finally be able to send to the President's desk a bipartisan, bicameral bill to combat the forced labor that supports the CCP's Uyghur genocide.

Unfortunately, the rushed, partisan bill before us today does not live up to these two serious bipartisan efforts. Committee Democrats made no effort to work toward a bipartisan agreement before the markup, and the bill has no Republican cosponsors.

This legislation is dangerously vague and unnecessarily duplicative. It doesn't frame things in terms of anti-Muslim persecution, nor does it use the typical statutory language like "gross violations of internationally recognized human rights."

Instead, it uses the undefined, nonlegal term of "Islamophobia." This word appears nowhere in the Federal statutes. It is so vague and subjective that it could be used against legitimate speech for partisan purposes. Even the term "phobia" connotes irrational fear, not discrimination.

The bill also completely ignores the State Department's extensive efforts already underway to protect the rights of Muslims. Regular monitoring and reporting are already carried out by human rights officers or embassies worldwide, as well as the Bureau of Democracy, Human Rights, and Labor; the Office of International Religious Freedom; and the U.S. Commission on International Religious Freedom.

The annual "Country Reports" on human rights contain detailed, country-specific narratives of human rights violations targeting Muslims. The "Annual Report on International Religious Freedom" details anti-Muslim abuses and U.S. Government policy to address such challenges.

In addition, the current nominee to serve as the Ambassador at Large for International Religious Freedom, Rashad Hussain, is a prominent Muslim American.

Madam Speaker, the lack of a special envoy is not a sign of bigotry. In fact, there is no special envoy for the hundreds of millions of Christians who face dangerous persecution today. Also, there is no special envoy for the Hindus or the Buddhists or the Baha'is or the Yazidis or many other people of faith who experience persecution.

We have heard a lot from the other side about the office and special envoy on anti-Semitism, and I imagine that we will continue to hear about this during this debate. But while the wording of today's bill is modeled after the two prior anti-Semitism bills, the process has been completely different and inadequate.

Both bills, in 2004 and 2020, came after dedicated hearings showing the need for specialized legislation. The second bill is based on 16 years of experience before a Senate-confirmed special envoy was added.

In stark contrast, today's bill is the result of a hurried, partisan push over the last 6 days. This legislation was introduced less than 2 months ago. We have not held any hearings focused on whether the new State Department bureaucracy is needed or useful to counter anti-Muslim hate.

Finally, today we received the oddest Statement of Administration Policy that I can ever recall, basically saying that while the administration supports passage of the bill, it would like for this bill to be rewritten. This State Department would like for this bill to be rewritten. Why aren't we consulting with the State Department to get this bill right before we throw it on the House floor and pass it with such haste?

In it, the administration also says that it wants to include language to "ensure the Secretary of State has the necessary flexibility and permissive authority to designate such an office and special envoy." In other words, the administration doesn't want to be required to create this office and position, as this bill mandates.

Combating religious persecution against all people of faith, including

Muslims, is a serious issue, and it deserves the kind of serious attention that draws bipartisan support. I also believe that a definition for clarity as to what Islamophobia is and how it would apply should be done through the legislative intent of the Congress and not left up to the bureaucracy in the State Department.

Unfortunately, the text has been rushed to the floor. It is vague and redundant, as I have said. For that reason, I do oppose it.

I am going to get, later, into some definitions of Islamophobia from various scholars and lawyerly articles that really bring out how vague this term is. We are not saying we are protecting against persecution of Muslims or international human rights for Muslims. It is Islamophobia that I think draws the most scrutiny to this bill.

Madam Speaker, I reserve the balance of my time.

Mr. MEEKS. Madam Speaker, I yield 5 minutes to the gentlewoman from Minnesota (Ms. OMAR), the sponsor of this most timely bill.

Ms. OMAR. Madam Speaker, I thank the chairman for yielding.

Madam Speaker, today, I rise because we are in the midst of a staggering rise of anti-Muslim violence and discrimination around the world. At its worst, it is Uyghurs in concentration camps in China and genocide against the Rohingya in Burma. But those atrocities are part of a deeper fabric of violence against Muslims and impunity for violence against Muslims at a global level.

In India, Prime Minister Modi's government has moved to strip citizenship from millions of Muslims. In Sri Lanka, anti-Muslim laws and violence have imposed terror on the community. In Hungary, Belarus, and Poland, politicians have stoked fear of Muslim migrants and refugees. In New Zealand and Canada, white supremacist violence has targeted Muslims, including at their places of worship. And, of course, we in the United States are not immune to this hatred.

It is no secret that the previous President of the United States explicitly vowed "a total and complete shutdown of Muslims entering the United States." But Trump was simply taking advantage of a deeper culture of Islamophobia that has existed for the past two decades, from the PATRIOT Act to the CVE program to Abu Ghraib.

□ 1830

None of these things are happening in isolation. We must understand that these problems are interlinked. In fact, earlier this year the United Nations commissioned a report and concluded that Islamophobia has reached "epidemic proportions," and urged nations around the world to take all necessary measures to combat it.

As a country that was founded on religious liberty, our leadership on international religious freedom depends on

recognizing that Islamophobia is global in scope and we must lead the global effort to address it. That is why Representative SCHAKOWSKY and I have introduced this bill, to create a special envoy for monitoring and combating Islamophobia at the State Department.

This bill also adds violence and incitement targeted at Muslims to the State Department's annual human rights report and international religious freedom report.

There are cynics who would rather see us divided on racial, ethnic, gender, and religious lines because it suits their political agenda. But I believe as Americans we should stand united against all forms of bigotry.

In fact, this legislation is modeled on the special envoy to combat anti-Semitism, and I was proud to cosponsor and vote last Congress on legislation to elevate that envoy to a cabinet-level position.

Because it is important, Madam Speaker, that we live in a world where everyone is free of persecution based on their religious background and beliefs. And until everyone is free to practice their religion, no one is.

I want to thank the colead of this bill, a partner in justice, Representative JAN SCHAKOWSKY, along with Chairman MEEKS, Speaker PELOSI, and the leadership team for their commitment to this legislation.

Madam Speaker, I also want to thank the Council on American-Islamic Relations for their advocacy on this, and all the groups representing a cross-section of human rights, civil rights, and faith coalitions, who fight for religious rights for everyone around the world.

Mr. MCCAUL. Madam Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. CHABOT), a member of the Foreign Affairs Committee.

Mr. CHABOT. Madam Speaker, I rise this evening in opposition to H.R. 5665.

All Americans can agree that persecution against any person or any group on the basis of religion is wrong. Religious tolerance is a fundamental value upon which this Nation was founded, which is why the free exercise of religion is protected in the very first amendment to our Constitution.

That same fundamental principle is why I persistently, in a bipartisan manner, supported the Rohingya Muslims who have been oppressed, victimized, and suffered genocide at the hands of the Burmese military. This principle also explains why the Ambassador At Large for International Religious Freedom and two other human rights offices at the State Department are already doing the work called for in this legislation.

However, the reasons to oppose this bill go beyond mere redundancy. It is also significantly flawed because Democrats have refused to include a definition of Islamophobia and Islamophobic incitement—the very subject matter the bill purports to address. In fact, Democrats voted down an amendment that I offered in com-

mittee to exclude legitimate criticism from what counts as Islamophobia.

As a result, this bill doesn't make it clear whether the term Islamophobia includes, for example, criticizing radical Islamic terrorist groups or calling out the persecution of Christians. Is it Islamophobic to oppose unacceptably intolerant blasphemy laws, or criticize those who call for the destruction of Israel?

What about criticizing the Taliban's brutal repression of women, or condemning those who deny the Holocaust, as Iran's Supreme Leader has repeatedly done?

While clearly, none of these criticisms should be considered Islamophobic, it is deeply concerning that this bill's supporters have refused to protect such legitimate free speech. Thus, this legislation could be used to label almost any criticism of Islam, including criticism of Sharia law as Islamophobic.

It is almost as if its goal is to shut down all debate and protect Islam from any criticism in polite society. Thus, we get to the core problem of this bill—it treats the persecution of Muslims as uniquely unacceptable. Let's face it, pretty much every religion faces persecution, as anyone who has studied history can attest.

Arguably, Christians endured global persecution equal to or worse than Muslims. Further, Hindus, the Falun Gong, the Baha'is, Tibetan Buddhists, even atheists all experience repression on some corner of the globe. While Muslims do face heinous genocides in China and Burma, Christians and Yazidis also faced genocide at the hands of the Islamic State not long ago.

Finally, this legislation ill-advisedly evaluates the persecution of Muslims to a special category similar to the legislation that created the special envoy to combat anti-Semitism. Unlike alleged Islamophobia, anti-Semitism is a truly unique problem. In the aftermath of the Holocaust, the world realized just how pernicious anti-Semitism was and has been for centuries, and rightly sought to eliminate it.

Putting Islamophobia in the same category as anti-Semitism dramatically understates, even trivializes the historic and pervasive nature that makes anti-Semitism such a difficult problem to overcome. Such a dangerous false equivalence might be used by extremists to justify further anti-Semitic activity.

Madam Speaker, for these reasons, I urge my colleagues to oppose this legislation.

Mr. MEEKS. Madam Speaker, let me just reply to Mr. MCCAUL earlier that the anti-Semitism legislation was introduced on January 3 of 2019, passed the House on January 11 of 2019. There were no hearings that were held that last Congress before we passed the vote, and there was no markup, as we had in our committee this year at all.

Madam Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms.

SCHAKOWSKY), the cosponsor of this legislation.

Ms. SCHAKOWSKY. Madam Speaker, I rise as a proud colead of the Combating International Islamophobia Act.

In the United States alone, nearly 70 percent of American Muslims have reported personally experiencing anti-Muslim hate, bigotry, and even violence. This anti-Muslim hate isn't just confined to certain communities and areas of this country. It has reached out in ugly ways, including in my own community, in my own district, to a member of my staff and her family.

My colleagues and friends in Congress know that Congresswoman ILHAN OMAR, the chief sponsor of this legislation, knows all about this in far too personal a way. She has been subjected to relentless attacks and horrifying threats, not just from her fellow Americans, but even within the Halls of Congress. Enough is enough.

This should not be a controversial bill. We have had a special envoy to monitor and combat anti-Semitism for years, and I proudly support that office's work. As a Jew myself, I see the parallel quite directly between anti-Semitism and Islamophobia, and we need to be combating both.

As a Nation that prides itself on defending human rights and standing up against hate and bigotry, creating a special envoy to monitor and combat Islamophobia makes perfect sense.

Madam Speaker, I urge all of my colleagues on both sides of the aisle to do what is right, which is to vote 'yes' on the Combating International Islamophobia Act.

Mr. MCCAUL. Madam Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. PERRY), a member of the Foreign Affairs Committee.

Mr. PERRY. Madam Speaker, I am proud to represent south central Pennsylvania, where there is a large community of Ahmadiyya Muslims, the most persecuted—the most persecuted Muslims—in the Muslim faith, but yet there is nothing in this bill to safeguard them.

As a matter of fact, many of my colleagues have and will continue to speak about the lack of definition because it is going to be made up, ladies and gentlemen, it is just going to be made up based on your political proclivities. You are either going to be persecuted or you are not, depending on who you are and who you vote for.

Let's face it, aside from the attempts to placate an anti-Semitic Member of this Chamber, all that is really happening here is that House Democrats are deflecting from the real issue confronting the House of Representatives, and that is that the maker of this bill has no business sitting on House committees, has no business in this Chamber—a myriad of anti-Semitic comments and those of support of violence and terrorisms against the United States are wholly unacceptable. But we are not going to deal with that because we are going to deal with this.

Let's not forget the moment the author of this bill breathtakingly referred to the murder of nearly 3,000 Americans on 9/11 by Islamist terrorists as some people who did something—some people who did something.

During last week's markup of this legislation in the Foreign Affairs Committee, I was assailed by my colleagues on the other side of the aisle, they told me I was Islamophobic, nasty, mean, and rude. Why?

Because I offered amendments that would have prevented American tax dollars from going to organizations with ties to terrorism. Ties to terrorism. You would think that that would be something we could agree on because we all agree that nobody should be persecuted based on their faith. We all agree on that.

But American taxpayers shouldn't be forced to pay terrorist organizations; organizations that the maker of this bill is affiliated with, like the one that is an unindicted co-conspirator in the largest terror finance case in the United States of America's history. Not because I say so, because the judge says so.

By intentionally leaving the definition of Islamophobia blank in this bill, the gentlelady and my friends on the other side of the aisle are creating an office in our State Department that will likely spew anti-Semitic hatred and attack Western ideas throughout the world under the farce of protecting Islam.

As you can see by this debate, the goal is to silence dissent and critics of terrorism.

The SPEAKER pro tempore. The gentleman will suspend.

Mr. MEEKS. Madam Speaker, we want to take down the words. I ask that the words be taken down.

The SPEAKER pro tempore. The gentleman from Pennsylvania will take his seat.

(1945)

The SPEAKER pro tempore. The Clerk will report the words.

The Clerk read as follows:

You are either going to be persecuted or you are not, depending on who you are and who you vote for.

Let's face it, aside from the attempts to placate an anti-Semitic Member of this Chamber, all that is really happening here is House Democrats are deflecting from the real issue confronting the House of Representatives, and that is that the maker of this bill has no business sitting on House committees, has no business in this Chamber—a myriad of anti-Semitic comments and those of support of violence and terrorisms against the United States are wholly unacceptable. But we are not going to deal with that because we are going to deal with this.

The SPEAKER pro tempore. The Clerk will further report the words.

The Clerk continued to read as follows:

But American taxpayers shouldn't be forced to pay terrorist organizations; organizations that the maker of this bill is affiliated with, like the one that is an unindicted co-conspirator in the largest terror finance

case in the United States of America's history. Not because I say so, because the judge says so.

The SPEAKER pro tempore. The Chair is prepared to rule. The words from the gentleman from Pennsylvania contain an allegation that the "maker of the bill" is affiliated with a terrorist organization. This remark impugns the patriotism or loyalty of a Member of the House, which is not in order as stated in section 370 of the House Rules and Manual. The gentleman from Pennsylvania also alleges that the "maker of the bill" is anti-Semitic. This remark constitutes an allegation of discrimination, which is not in order as stated in section 370 of the House Rules and Manual. The gentlewoman from Minnesota is the sponsor of this measure, H.R. 5665, as reflected in the official records of the House. Therefore, the Chair finds that the remarks constitute personalities directed toward an identifiable Member.

#### PARLIAMENTARY INQUIRIES

Mr. BIGGS. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. BIGGS. I have several inquiries, if I might. I am not trying to press. I am trying to understand.

The first one is did the Speaker and the Parliamentarian distinguish or identify by the term "author" of the bill, "maker" of the bill, or "sponsor" of the bill when making its ruling and determination in this case?

The SPEAKER pro tempore. The Chair has addressed that in the ruling.

Does the gentleman have an additional inquiry?

Mr. BIGGS. Yes, I do. Thank you.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. BIGGS. My question is regarding the determination that these words were nonparliamentary. What is the extent of the protection of the debate and speech clause, vis-a-vis, for instance, when we have had a resolution to strip a Member of committee, another resolution to strip a different Member of committee this year. And during the debate of that we had all kinds of aspersions and comments, and if these allegations, which were put forward by the gentleman from Pennsylvania are accurate and can be defended, was that taken into account in both the context and his terms, this taking into account, when you made the determination that his speech was nonparliamentary.

The SPEAKER pro tempore. The Chair is not going to provide an advisory opinion.

Mr. BIGGS. I am not asking for an advisory opinion. I am asking what you took into account with the Parliamentarian to determine that his words were nonparliamentary. That is what I am asking. And I have given you context and relationship of previous actions, and I have asked for specifically how you limited the speech and debate

clause here, and whether the fact that he has documentation to prove his assertions or not or whether they are relevant.

The SPEAKER pro tempore. The Chair relied on section 370 of the House Rules and Manual as stated in the ruling.

Mr. BIGGS. Thank you.

Mr. MEEKS. Madam Speaker, I yield 1 minute to the gentleman from Illinois (Mr. DANNY K. DAVIS) a member of the Ways and Means Committee.

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, I rise in strong support of passage of H.R. 5665, and commend its sponsor, Representative OMAR, and my colleague from Illinois, Representative SCHAKOWSKY, for its introduction.

I was taught early in life to accentuate the positive, eliminate the negative, and don't mess around with Mister-In-Between.

This resolution reaffirms many of the principles in practice that we have been taught and learned that religion is sacrosanct, that religion is sacred, and every person deserves to have their religious thoughts, ideas, and ideology protected.

I urge support and passage of this legislation.

Mr. MCCAUL. Madam Speaker, I yield 2 minutes to the gentleman from Tennessee, (Mr. BURCHETT), a member of the Foreign Affairs Committee.

Mr. BURCHETT. Madam Speaker, I thank the gentleman for yielding.

I oppose this bill, Madam Speaker, because it is redundant and will grow a State Department bureaucracy that is already overgrown. This is the same State Department that already has two bureaus tasked with this issue.

I wish someone would tell me what exactly it is these bureaucrats are doing now, since they now need a third department to help them do their job.

These are the same State Department bureaucrats who spent 4 years undermining the foreign policy of a Republican President from deep within the government. Now they are getting a pass from the Biden administration to be soft on China, soft on Russia, and of course, soft on Iran.

And the Democrats in the House want us to spend even more taxpayer money on this already bloated bureaucracy, Madam Speaker.

For my friends across the aisle, the solution always seems to be throwing more money at a problem.

After 3 years in the House, I am beginning to realize that, for the Democrats in Congress, our tax dollars are nothing more than political duct tape. The problem with duct tape, Madam Speaker, is it does not actually fix anything, contrary to what some people believe. Like growing government and spending more money, duct tape is not a solution.

So here is an idea I wish my friends across the aisle and President Biden would consider: Rather than feeding the beast, let's cut the State Department's budget until the bureaucrats



deep within decide to get back to work for the American people.

Instead of pushing a woke globalist agenda, Secretary of State Blinkin needs to call his workers back to the office, rather than letting them continue to stay home while passports and visa applications go unprocessed for American citizens and visitors.

Let's not waste our constituents' hard-earned tax dollars playing politics. Our government is big enough. We can do without another dadgum bureaucracy at the State Department.

Mr. MEEKS. Madam Speaker, I yield 1 minute to the gentleman from Michigan (Mr. LEVIN), a member of the House Foreign Affairs Committee.

Mr. LEVIN of Michigan. Madam Speaker, Islamophobia is a problem across the world, including in my own district, where one of the many mosques that I represent was vandalized last year.

It is a problem in this body, where only four Muslims have ever served, and where the most visible among them, Congresswoman OMAR, has been the subject of horrible anti-Muslim attacks.

And it is obviously a problem abroad, even rising to the level of genocide in Burma and China.

I am a Jewish Member of Congress who considers fighting all forms of oppression and all instances of religious discrimination core to my faith.

Mr. Speaker, let's all come together and reaffirm that cardinal American value, freedom of religion. Let's pass this law as a step towards protecting the rights of the world's 1.8 million Muslims and an integral part of our work to win freedom and security for all people everywhere.

Mr. MCCAUL. Mr. Speaker, I yield 6 minutes to the gentleman from Kentucky (Mr. BARR), a member of the Foreign Affairs Committee.

Mr. BARR. Mr. Speaker, I thank the ranking member of the Foreign Affairs Committee for yielding.

I rise in opposition to this legislation. Mr. Speaker, Islamophobia is wrong, just as anti-Semitism, anti-Christian hatred, and all forms of discrimination based on race or religion are wrong.

But this bill, despite whatever the author and defenders of this legislation claim as its purpose or their intent, is not targeted to counter actual Islamophobia.

In fact, this bill is so poorly drafted, any objective analysis of it raises serious concerns about what the true intentions of the bill are because it specifically does not define Islamophobia.

This lack of definition not only risks confusing U.S. foreign policy, but it also would compromise U.S. counterterrorism efforts and undermine our national security.

What we need, Mr. Speaker, and what this bill fails to provide is moral clarity. We don't need nuance or political correctness or silencing debate or censorship on the issue of radical Islamic

terrorism. What we need is intellectual and moral clarity.

□ 2000

Before 9/11, radical Islamic terrorists were at war with the United States. That was before 9/11. Since then, radical Islamic terrorists have been at war with the United States.

Now, you may wish that wasn't the case, but it is a historical fact. If you cannot even acknowledge who the enemy is or that we are at war with them, then how can you expect to defeat that enemy?

We must face the truth, the truth that there is a very real struggle within the Islamic world between religious tolerance, the purported goal of this bill, and an evil, toxic intolerance, the potential byproduct of this bill that says if you are a Christian or if you are a Jew or if you are a moderate Muslim, then you must be destroyed.

This bill, either unintentionally or by design, gives voice to this toxic religious intolerance by failing to exclude from the definition of Islamophobia any policy or viewpoint that rejects radical Islamic terrorism.

This ideology of evil and extreme religious intolerance must be confronted with clarity, as much as each individual act of terrorism. And an over-inclusive definition of Islamophobia threatens to encourage the very extremism that we all say we oppose.

Is it Islamophobia to criticize the Taliban, a self-proclaimed Islamic organization, when they commit grave human rights abuses and oppress women?

Is it Islamophobia to criticize rejoining the Joint Comprehensive Plan of Action when talking about the malign, theocratic Islamic Republic of Iran, the leaders of which chant, "Death to America," and promise the destruction of the State of Israel?

Is it Islamophobia to condemn Hamas when they are firing rockets on innocent Israelis from Gaza?

Is it Islamophobia to criticize someone who dismissively, derisively, and defensively refers to 9/11 hijackers as "people who did some things"?

These actions are not Islamophobic. These are beliefs motivated out of security and fact. However, we are voting shortly on a bill that actually does combat Islamophobia, a real Islamophobia, a bipartisan bill to combat the forced labor of Uyghur people and the systemic genocide of peaceful Muslim minorities by the Chinese Communist Party.

Mr. Speaker, that bill makes a clear, defined difference. This bill does not. Simply saying we are against Islamophobia without clearly and correctly defining it and establishing an office within the State Department to combat it without safeguards against the relativist views of the politically correct is an invitation to weaponize our foreign policy against itself. We must deal with this problem as it is, not as we would hope it to be.

History teaches us that when Islamic extremists and jihadists are not fought, they grow. Their movement metastasizes. The longer they are not confronted, the more they become emboldened. The more they are appeased and tolerated, the more they overrun territories in the areas they occupy and secure safe havens from which they can launch attacks against the United States and the West.

As a member of the Committee on Foreign Affairs, I was more than disappointed that my Democratic colleagues, many of whom I respect very, very much, rejected a good faith amendment in our markup to clearly define what Islamophobia actually is.

We do have a Special Envoy to Monitor and Combat Anti-Semitism who works off an internationally adopted definition of anti-Semitism. But the way this bill is structured fails to acknowledge that a policy of countering jihad is not, never has been, and never will be Islamophobia. And the bill establishes an office that would actually undermine the very mission of the Special Envoy to Monitor and Combat Anti-Semitism.

In sum, this bill, without definitional restraint, will invite anti-Semitism and anti-Christian bias into State Department decisionmaking, and it will do so under the guise of combating Islamophobia. That is what this bill will do without definition.

The SPEAKER pro tempore (Mr. KILDEE). The time of the gentleman has expired.

Mr. MCCAUL. Mr. Speaker, I yield an additional 30 seconds to the gentleman.

Mr. BARR. Maybe this bill is well-intentioned, but if we don't agree to some kind of definition, if we do not provide some clarity—moral clarity, intellectual clarity—as to who the enemy is versus what Islamophobia is, then what we have here in this bill is a wolf in sheep's clothing. Nuance and political correctness will not help us defeat our enemy, and it leaves peaceful practitioners of Islam robbed of the definition that they truly deserve.

Mr. Speaker, for these reasons, I urge my colleagues to oppose this legislation.

Mr. MEEKS. Mr. Speaker, clearly, we are not here to talk about criticism. We are here to talk about persecution. We are here to talk about anti-Muslim hate. We are even here to talk about genocide. And we should know it when we see it.

Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Mr. Speaker, I rise in strong support of H.R. 5665, the Combating International Islamophobia Act. I thank my friend, Congresswoman ILHAN OMAR, for her leadership on this issue, and also Chairman MEEKS and the Speaker for bringing this bill to the floor.

Mr. Speaker, the bill creates mechanisms for the State Department to monitor and combat international

Islamophobia. There are approximately 1.8 billion Muslims in the world, including 3.5 million Muslims in the United States.

Now, the truth is, while Islamophobia is not a new phenomenon, anti-Muslim violence has increased significantly over the past 20 years. Just ask any Muslim what Islamophobia is.

We have seen incidents such as the terrorist attacks on mosques in New Zealand, atrocities against the Uyghurs in China, and Islamophobic laws in France that prevent girls from wearing the hijab in public.

The United Nations Human Rights Council now says that discrimination and hatred toward Muslims have risen to epidemic portions.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MEEKS. Mr. Speaker, I yield an additional 15 seconds to the gentlewoman.

Ms. LEE of California. Mr. Speaker, whether in the Halls of Congress, our districts, or across the world, we will not tolerate Islamophobia. We know what it is. We must work together to end this bigotry.

Mr. Speaker, I urge my colleagues to vote "yes" on H.R. 5665.

Mr. MCCAUL. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. VAN DUYNE).

Ms. VAN DUYNE. Mr. Speaker, I rise in opposition to H.R. 5665. Bringing this bill to the floor is nothing more than empty theatrics from Democrats.

Our Nation has delivered more freedom, opportunity, and liberty to more people around the world than any nation in our history. We have served as the arsenal of democracy and a liberator of oppressed people because we are a good and just nation founded on fundamental, God-given liberties. Included among those, as part of our very first amendment, is the freedom of speech.

Our Nation has lost precious treasure of our fellow countrymen to free people from the horrors of Islamic fundamentalism. We need only look at what has happened to women in Afghanistan since Biden's disastrous and botched departure. Women are being stoned to death in the street for having the gall to be educated. Women are forced into marriages with blood-thirsty Taliban savages to serve as breeders of the next jihad.

The fight against these kinds of atrocities deserves plainspoken and hard truths to be told. Instead, the other side would like to sterilize free speech and determine what words are allowed under their Orwellian tyranny.

Our Nation and the world deserve so much better than this ridiculous attempt to stifle free speech. There is tremendous evil in this world. Every day that evil is trying to infiltrate and undermine our exceptional Nation.

I will never shy away from calling out evil ideologies, and I will never back down from speaking against them

and how they are used to oppress women, children, and the vulnerable. We must stay committed to opposing heinous acts of violence directed at any religious group around the world, but the fact is, the State Department is already doing this.

This bill brought to the floor today is for one purpose only: to appease the hurt feelings of Members who themselves have well-documented backgrounds of anti-American and anti-Semitic remarks.

I rise against this bill just as I will rise against any attempts to weaken our rights, diminish our liberties, and distract this body from dealing with real issues to strengthen our Nation and empower our people.

Mr. MEEKS. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Speaker, I thank the chairman for yielding me time.

Mr. Speaker, I rise in strong support of the Combating International Islamophobia Act.

This legislation creates an office to monitor and combat Islamophobia at the Department of State. In recent years, we have seen tragedies like the 2019 Christchurch shooting, as well as the state-sponsored persecution of Uyghurs in China.

My hometown of Dearborn, Michigan, has a very large Muslim community, and it is also a constant target of Islamophobic hate. There have been thousands of documented complaints of anti-Muslim hate and bias in the United States this year alone. In my community are good-standing Americans. They are afraid and fearful of these actions, and I have heard from constituents who are afraid of visiting their mosques or going to events as a result.

Passing this bill sends a strong message about our shared commitment to safeguarding religious liberty worldwide.

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. MCCAUL. Mr. Speaker, I reserve the balance of my time.

Mr. MEEKS. Mr. Speaker, I yield 1 minute to the Representative from the great State of Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, and still I rise as a Christian to say *as-salamu alaykum*, which means peace be upon you.

Mr. Speaker, H.R. 5665 addresses the age-old question: Am I my brother's and, I might add, sister's keeper?

If the answer is yes, then what do we do about it when our brothers and our sisters are being victimized by Islamophobia—threatened, murdered, killed?

Mr. Speaker, you can't be your brothers' or sisters' keeper without keeping your brothers and your sisters.

H.R. 5665 addresses this by establishing an office to monitor and combat Islamophobia in the Department of State. H.R. 5665 does something such that we can be our brothers' and our sisters' keepers.

Mr. Speaker, I am proud to be a co-sponsor of it, and I close with Allah hafiz. May God protect you.

Mr. MCCAUL. Mr. Speaker, I reserve the balance of my time.

Mr. MEEKS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CORREA).

Mr. CORREA. Mr. Speaker, I also rise in strong support of the Combating International Islamophobia Act.

A recent report in California found that 56 percent of the students in California feel unsafe in their school because of their Muslim religious identity. That is not the America I know. Our Nation stands for many freedoms, including the freedom of religion.

I am a proud sponsor of this legislation to create a special envoy to fight anti-Muslim hate crimes in the U.S. and abroad.

Mr. Speaker, I urge my colleagues to support this measure.

Mr. MCCAUL. Mr. Speaker, I reserve the balance of my time.

Mr. MEEKS. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of H.R. 5665, Combating International Islamophobia Act.

I have listened to my friends on the other side of the aisle, and they are my friends. I hope that we will have the opportunity to work together for what the values of America stand for.

I have heard my colleagues recount the various efforts of inhumane treatment of Muslims around the world. This is an important statement made by America, to create the position of special envoy for monitoring and combating Islamophobia that will be responsible for tracking and coordinating efforts to combat Islamophobia. Also, it would require the State Department's annual "Country Reports on Human Rights Practices" to include acts of Islamophobia.

□ 2015

With 1 billion Muslims, the reason why I support this legislation is the statement it makes to the world about the values of this country, and the values of this country should be grounded in the fact that the religious freedom of all should be respected.

Then, finally, I am really overwhelmed by the constant battering of our colleague, ILHAN OMAR. To make her the center point of opposition in this place is beneath the dignity of this House. So by passing this legislation, let the world know that America's values are valuing religious freedom and that we stand against the abuse of Muslims around the world as well as here in the United States.

Mr. Speaker, this is an important piece of legislation. I thank the chairman for his leadership, and I ask my colleagues, Republicans and Democrats, to support H.R. 5665.

Mr. Speaker, I rise in support of H.R. 5665, the Combating International Islamophobia Act,



which will address the increasing number of incidents of Islamophobia around the world.

Specifically, this bill will:

Create the position of Special Envoy for Monitoring and Combating Islamophobia, who will be responsible for tracking and coordinating efforts to combat Islamophobia abroad; and

Require that the State Department's annual country reports on human rights practices and annual Report on International Religious Freedom include, wherever possible, assessments of the nature and extent of acts of Islamophobia and Islamophobic incitement that occur abroad.

As Islamophobia rises globally, it is vital that the State Department have senior personnel in place charged with understanding, reporting on, and combating this scourge worldwide.

In recent decades, we have seen a staggering rise in incidents of violent Islamophobia worldwide.

Whether it is the atrocities being committed against the Uyghurs in China and the Rohingya in Burma, the brutal crackdowns on Muslim populations in India and Sri Lanka, the scapegoating of Muslim refugees and other Muslims in Hungary and Poland, the acts of white supremacist violence targeting Muslims in New Zealand and Canada, or the targeting of minority Muslim communities in Muslim-majority countries like Pakistan, Bahrain, and Iran, it is time for us as policymakers to understand these problems as interconnected and genuinely global.

A staggering number of people have experienced anti-Muslim hate in their lifetime; a number that has only inflated since 9/11.

America is home to one of the most diverse Muslim populations in the world, including people of almost every ethnicity, country, and school of thought.

Approximately one third of the community is African American, one third is of South Asian descent, one quarter is of Arab descent, and the rest are from all over the world, including a growing Latino Muslim population.

While exact numbers are difficult to establish, there are between 3–6 million American Muslims. About one half of this population was born in the U.S., a percentage that continues to grow as immigration slows and younger individuals start having families.

American Muslims are present in all walks of life, as doctors and taxi drivers; lawyers and newspaper vendors; and accountants, homemakers, academics, media personalities, athletes, and entertainers.

Although American Muslims make up approximately one percent of the U.S. population, most Americans can name several famous American Muslims. Names like Muhammad Ali, Malcolm X, Mos Def, Fareed Zakaria, Shaquille O'Neal, Lupe Fiasco, Dr. Oz, and Rima Fakhri are part of our popular consciousness.

Important business figures like Farooq Kathwari (CEO of Ethan Allen), Malik M. Hasan (a pioneer in the field of HMOs), and Safi Qureshey (a leader in PC component manufacturing) are all American Muslims.

Many American Muslims are also civically engaged, working with their neighbors to better their communities. Well-known American Muslim leaders include Rep. Keith Ellison (DFL-Minn.), the first American Muslim to be elected to the U.S. Congress; Rep. ANDRÉ CARSON (D-Ind.); Mohammed Hameeduddin

(Mayor, Teaneck, N.J.); and Amer Ahmad (Comptroller, Chicago).

Nevertheless, levels of Islamophobia are so high that the United Nations Human Rights Council has declared it an issue of "epidemic proportions."

Atrocities have been occurring across the globe, from hate-messages spray-painted on buildings in America to the violent genocide of the Uyghurs in China.

The United States State Department estimated that up to 2 million members of Muslim minorities have experienced a system on detention centers in Xinjiang, known political indoctrination, forced labor, torture, and sexual abuse.

The US, UK, and Canada have accused China of committing genocide and crimes against humanity against Muslim populations at Xinjiang.

In 2018, UN investigators accused the Myanmar's military of carrying out mass killings of Muslim populations with "genocidal intent."

There are reports of attacks on mosques in India and Iran, a history of anti-Muslim sentiments and attacks in Sri Lanka, police targeting against Shia Muslims in Pakistan, massacres of Muslim people in New Zealand, and Islamophobic hate-speech in Canada.

This global injustice must be addressed and rectified and the United States must step up to spearhead the movement.

We need to establish a comprehensive plan for combating Islamophobia not only to ensure the religious freedom and human rights of Muslims, but to protect against a threat to international religious freedom and democratic principles.

The Combating International Islamophobia Act will require the State Department to create a Special Envoy for monitoring and combating Islamophobia answering the call of the American Muslim community for the past two decades.

The envoy will work with domestic and international nongovernmental organizations and institutions to carry out its directives.

The special envoy will give reports on acts of physical violence or harassment against Muslim people as well as acts of vandalism of Muslim community institutions like schools, mosques, and cemeteries.

Regarding anti-Muslim government actions, the envoy will monitor instances of propaganda in media that attempt to justify or promote racial hatred or incite acts of violence against Muslim people.

With the new wealth of information this envoy will bring, policymakers will have a better understanding of the interconnected, global problem of anti-Muslim bigotry.

As part of our commitment to international religious freedom and human rights, we must recognize Islamophobia as a pattern that is repeating in nearly every corner of the globe.

It is past time for the United States to stand firmly in favor of religious freedom for all, and to give the global problem of Islamophobia the attention and prioritization it deserves.

Mr. MCCAUL. I continue to reserve the balance of my time, Mr. Speaker.

Mr. MEEKS. Mr. Speaker, I yield 1 minute to the gentlewoman from the great State of Michigan (Ms. TLAIB).

Ms. TLAIB. Mr. Speaker, I have a lot of emotions as I stand before you today.

This bill is a strong step toward combating Islamophobia, but it is only a start. The reality today is that Muslim Americans still face constant abuse right here at home. While it is great to fight Islamophobia abroad, we need to be honest with ourselves about how widespread this disgusting and bigoted anti-Muslim hate is right here in our own country.

Simply put, my two sons and children across our country deserve to grow up in a country where their religion, their faith, will not be used as an excuse to target them and endanger their lives and freedoms.

Muslims across our country deserve Representatives on both sides of the aisle who will embrace them and who will love them for who they are, not those who encourage religious violence for their own political gain.

Mr. Speaker, I would say to my fellow Americans who believe in a free, inclusive, and accepting country, know that we will win this fight. The actions of a hateful group of individuals in our country and in this body are out of touch from the vast majority of our Americans and neighbors who are good, decent people who reject this violent White nationalist hate and will put party aside to protect one another from this bigotry.

Mr. MCCAUL. Mr. Speaker, I reserve the balance of my time.

Mr. MEEKS. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I thank Chairman GREGORY MEEKS, of the Foreign Affairs Committee, for his leadership in bringing this important legislation to the floor which addresses an issue of faith, of values, and of our country.

The House comes together, hopefully, in a spirit of unity—I would have hoped—and patriotism to condemn and combat Islamophobia and all forms of racism, prejudice, and discrimination.

Listening to the debate, I heard Mr. DANNY DAVIS earlier as he was singing "don't mess with Mister In-Between" talking about religion and talking about how it should be off-limits and people's religion should be respected. I know—and probably it is true of everyone here—the respect we have for our own faith and our own religion enables us to appreciate the faith and respect people have for their faith. That is why this is so sad because it is an attack on the faith of one of our Members.

Sadly, but clearly, Islamophobia is a sinister, growing, and for too many American Muslims, a constant presence in our Nation.

To just review some of the figures: Nearly 70 percent of American Muslims have personally experienced anti-Muslim discrimination since September 11.

Thousands of documented acts of anti-Muslim bigotry and violence are recorded each year, with many thousands unreported.

Attacks are growing more common and more brazen—from vandalism of

mosques, to physical assaults on women wearing hijabs, to hate speech from public officials, to bullying and violence of children at schools. Think of how the children hear this.

As we all know, this bigotry has targeted one of our own—shamefully, from within this congressional community. Racism and bigotry of any form, including Islamophobia, must always be called out and condemned in any place it is found. This is particularly true in the Halls of Congress which are the very heart of our democracy and where we have a responsibility under the rules of the House to behave in a way that brings dignity to this body.

Our first President, George Washington—there he is looking over us—over 230 years ago in a letter to the Hebrew Congregation in Newport wrote: “For happily the Government of the United States, which gives to bigotry no sanction, to persecution no assistance, requires only that they who live under its protection should demean themselves as good citizens, in giving it on all occasions their effectual support.” He, himself, was defining what is the right way to live. Indeed, bigotry and persecution have always been un-American as demonstrated by our patriarch, George Washington.

Anti-Muslim bigotry affects not only Members but many other members of our congressional community. As hundreds of Muslim staffers wrote in a letter last week, Mr. Speaker, they said “hateful rhetoric by public officials directly impacts us and puts our safety at risk, both at the workplace and in our everyday lives.”

The Muslim staffers whom we value here further said: “We must now come to work every day knowing that the same Members and staff who perpetuate Islamophobic tropes and insinuate that we are terrorists also walk by us in the Halls of Congress.”

It is really frightening.

Disturbingly, Islamophobia is not a unique American experience but a global scourge. Earlier this year, the U.N. Human Rights Council declared that discrimination against Muslims has risen to epidemic proportions. Around the world, we see tragedy and tragic consequences of anti-Muslim attitudes: the genocide against the Uyghur people and other Muslim minorities in China, atrocities committed against the Rohingya in Burma, attacks on Muslim refugees in central Europe and white supremacist violence against Muslims in New Zealand and Canada, the targeting of Muslim minority communities in western Asia and the Middle East.

We must confront Islamophobia or any form of racism wherever it is found—around the world, in our country, or even in these very Halls.

This legislation will not only address the rise in incidents of Islamophobia worldwide but launch a plan to combat this bigotry.

I thank Congresswoman JAN SCHAKOWSKY and Congresswoman ILHAN

OMAR for their leadership in advancing equity, justice, and dignity in our Congress, in America, and in the world with this action. I thank also the Foreign Affairs Committee chairman, GREGORY MEEKS, for his support of this important action.

With this bill’s passage, Mr. Speaker, a special envoy for monitoring and combating Islamophobia will be created, just as the State Department has special envoys on anti-Semitism and international religious freedom. That is something we have always shared in this body, across the aisle and across the Capitol in a bipartisan way, support for and respect for religious freedom at home and internationally.

This special envoy created here will be charged with establishing a comprehensive strategy to combat Islamophobia worldwide. The State Department’s annual human rights reports will be expanded to include state sponsors of Islamophobic violence and impunity.

As a nation that prides itself on the defense of human rights and dignity, we must be leaders both on the global stage and at home by example to combat violence against Muslims.

Again, Islamophobia in any place is offensive, dangerous, and must be condemned; and Islamophobia in our own congressional community—specifically, the repeated, ongoing, and targeted Islamophobic comments and actions against another Member as we witnessed this past year—is appalling and totally unacceptable.

That language and behavior are far beneath the dignity, integrity, and decency with which the Constitution and our constituents require that we act in this House. These actions must be called out and not tolerated.

Mr. Speaker, every day that we are in session we begin with a prayer because we believe in our own way. Some don’t believe, but by and large, most people here believe. We do so with reverence for our own religious beliefs and with respect for the beliefs of others. If we didn’t have such strong beliefs in ourselves and our own religion, it would be okay and easy to believe that somebody might be frivolous about respecting someone else’s devotion. But we do. We all profess to be people of faith.

The House will continue to look into an array of options to address this priority and to take real action to combat Islamophobia as we have many times taken action to condemn anti-Semitism and other forms of bigotry.

Mr. Speaker, I thank the chairman again for his leadership and Congresswoman SCHAKOWSKY, who was very much a part of this, and Congresswoman OMAR; and I urge a strong, bipartisan vote on this important legislation.

Mr. McCAUL. Mr. Speaker, if the gentleman from New York is prepared to close, I am ready to close.

Mr. MEEKS. Mr. Speaker, I am ready to close.

Mr. McCAUL. Mr. Speaker, I yield myself such time as I may consume.

Let me just first say that all of us deplore anti-Muslim persecution. We are seeing a lot of that in Afghanistan today, especially the small children. We deplore violence on violence, Sunni against Shia. No one should ever be attacked or denied their human rights or dignity because of their faith. I believe both sides of the aisle agree on this, and I personally agree with the intent and the spirit of this bill.

The United States Government is rightly committed to opposing these acts of violence that we have seen directed at Muslims around the world. The State Department has an office to do so.

What I do object to, Mr. Speaker, is the unfortunate circumstance that the bill before us abandons the usual statutory language about violations of internationally recognized human rights. Instead, it uses this vague term, Islamophobia. Look it up on Wikipedia. It says it can mean many things.

This Islamophobia is not defined. It is not that we are against the anti-Muslim persecution or against international human rights violations against Muslims, but rather this Islamophobia.

In connection with that, I would like to quote a 2016 article from Columbia Law Review that states: “There is no singular, cogent, or consensus definition of Islamophobia.”

Similarly, the University of Oslo’s Center for Research on Extremism calls Islamophobia a “contested term.”

These are law review articles, not mine.

It goes on further to say: “The term conflates opposition to Islam with prejudice toward Muslims.”

These expert descriptions underscore the need for due diligence that this text has not yet received. I wish the minority had been given an opportunity to discuss this bill before it was thrown in on the markup, for we all oppose religious persecution against Muslims or any other faith. I am a Catholic. Any other believers in any faith should be protected from this hate speech and violence.

So for those reasons, because the definition is not provided, Islamophobia is a very broad term that can be subject to many interpretations.

If we don’t define that in the Congress through legislative intent, who will?

That means we cede our authority over to the executive branch, and then they write what Islamophobia means. I wish we had used different terms, terminologies that are in statute under law rather than something that is sort of borne on a Wikipedia page.

□ 2030

To me, that is not the way we legislate here. I have done a lot of great legislation with the chairman and the previous chairman of this committee, and I intend to keep doing that with him. I

appreciate our joint efforts to advance strong, responsible bipartisan legislation to protect religious freedom.

We are going to have one of those bills coming up right after this one on the Uyghur Muslims, and I appreciate that. I know this has been a heated debate, and some things have been said today that could be offensive. This is not about one Member of Congress. This is about our ability to come together as Americans and come out with a strong bipartisan bill that makes sense so we can send the message around the world that this will not be tolerated, just as we are standing up for the Uyghur Muslims with the genocide bill and the bill that is going to follow this debate here today.

Mr. Speaker, it has been a rigorous debate, and we expected this. I yield back the balance of my time.

Mr. MEEKS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I thank Mr. McCAUL for his statements. Yes, we work very closely together, as well as many Members in this House, especially on the House Foreign Affairs Committee, strong fighters on both sides of the aisle for human rights.

The question that presents itself with this plain and simple bill that simply calls for us to establish an office to monitor and combat Islamophobia at the State Department is: Do we all agree? I think I have heard my colleagues on the other side say that Islamophobia is wrong. That means you know that Islamophobia exists.

You know it when you see it. You know it when you feel it. You know it when you talk about the Uyghurs, the Rohingyas, or right here in the United States of America. There is a definition right there. You see it. They have said it. We have said it. Islamophobia exists.

What we need to do is call it out. What we need to do is lock arms and stand together. This is an important bill. The camera of history is rolling on us. It is an important bill, and it is a bill of consequence. It should be of consequence to every human being on the planet, no matter your religion or no matter your race.

It is important to nearly 2 billion Muslims in the world. We need to focus on what this bill does. Some of the proudest moments of mine—I live in and represent one of the most diverse districts in all the United States, in the most diverse county in the United States. I have seen ugliness raise its ugly head, whether it is racism, anti-Semitism, or Islamophobia.

But the proud moment is when I see Muslims and Jews walking arm-in-arm against Islamophobia and against anti-Semitism, when I see people of all races and nationalities standing together and not being silent.

Inaction is unacceptable. We cannot stand idly by as atrocity after atrocity is inflicted on people of the Muslim faith, or any faith, for no reason other than bigotry against their religion.

Freedom of religion is a human right. We can and must do better at combating Islamophobia here at home and abroad. I wish it was today, but I keep dreams and hopes alive that we will lock arms—we have good people here—and say in unison, as I have seen people do in my district, that we are going to call out Islamophobia wherever we see it, the same with racism and the same with anti-Semitism.

Mr. Speaker, this bill that everybody is watching—we travel a lot on our committee. We know that people watch what is happening on this floor. They take it to their gut. I hope that they look at this bill and know that we are going to call it out and not accept it. Silence will not be accepted.

Mr. Speaker, I yield back the balance of my time.

Mr. CONNOLLY. Mr. Speaker, I am proud to support this bill that sends a clear signal about United States policy with respect to discrimination, especially violent, murderous discrimination against a whole class of people because of their ethnicity and/or religion.

But the significance of this bill is much more profound; it moves us forward in terms of our self-definition as Americans.

Our history is pockmarked with violent discrimination against groups that “got in the way.” Groups that challenged us to improve on the prevailing self-definition at the time.

From Native Americans who were dehumanized, Chinese Americans denied citizenship and naturalization as a group in our immigration laws, African Americans, Hispanic Americans, Irish-Catholics discriminated against by Abolitionists.

The intent of this bill goes to our self-definition as a nation, something every generation must revisit.

By enshrining this in our State Department as a priority policy, that will be propounded with other nations, we make ourselves better too. We live up to our ideals as a people.

I hope we rise above the partisan temptations to score points at the expense of a whole class of people, at the expense of people all around the world who we have never met but count on us to do the right thing on their behalf.

This bill is important for those people who can't find their own voice, because they have been denied it, but let's use ours on their behalf. It will save lives and it will improve our own sense of identity, who we are, what it means to be American.

The SPEAKER pro tempore. Pursuant to House Resolution 849, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. McCAUL. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5746. An act to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration.

#### CAPITOL POLICE EMERGENCY ASSISTANCE ACT OF 2021

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3377) to empower the Chief of the United States Capitol Police to unilaterally request the assistance of the DC National Guard or Federal law enforcement agencies in emergencies without prior approval of the Capitol Police Board, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the bill is as follows:

S. 3377

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Capitol Police Emergency Assistance Act of 2021”.

#### SEC. 2. EMERGENCY ASSISTANCE FOR THE CAPITOL POLICE.

(a) ASSISTANCE BY EXECUTIVE DEPARTMENTS AND AGENCIES.—Section 911(a) of division B of the Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002 (2 U.S.C. 1970(a)) is amended—

(1) in paragraph (1), by inserting “or in accordance with paragraph (4)” before “and on a permanent”;

(2) in paragraph (4)(B)—

(A) in the matter preceding clause (i), by striking “advance”; and

(B) in clause (ii)—

(i) in subclause (I), by striking “or” after the semicolon;

(ii) in subclause (II), by striking “and” after the semicolon and inserting “or”; and

(iii) by adding at the end the following:

“(III) the Chief of the Capitol Police, if the Chief of the Capitol Police has determined that the provision of assistance is necessary to prevent the significant disruption of governmental function and public order within the United States Capitol Buildings and Grounds, as described in section 9 of the Act entitled ‘An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes’, approved July 31, 1946 (2 U.S.C. 1961); and”;

and (3) by adding at the end the following:

“(5) REVOCATION.—The Capitol Police Board may revoke a request for assistance provided under paragraph (4)(B)(ii)(III) upon

consultation with appropriate Members of the Senate and House of Representatives in leadership positions.”.

(b) CAPITOL POLICE SPECIAL OFFICERS.—Section 1017 of division H of the Consolidated Appropriations Resolution, 2003 (2 U.S.C. 1974) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “or as determined by the Chief of the Capitol Police in accordance with section 911(a)(4)(B)(ii)(III) of division B of the Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002 (2 U.S.C. 1970(a)(4)(B)(ii)(III)),” after “Congress,”; and

(B) by adding at the end the following:

“An appointment under this section due to an emergency determined by the Chief of the Capitol Police under paragraph (4)(B)(ii)(III) of section 911(a) of division B of the Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002 (2 U.S.C. 1970(a)) shall be in effect for the period of the emergency, unless and until the Capitol Police Board revokes the request for assistance under paragraph (5) of such section.”;

(2) by striking subsections (c) and (e);

(3) by redesignating subsections (d), (f), and (g) as subsections (c), (d), and (e), respectively; and

(4) in subsection (d), as redesignated by paragraph (3) of this subsection, by striking “President pro tempore” and inserting “Majority Leader”.

#### SEC. 3. JOINT OVERSIGHT HEARINGS.

(a) IN GENERAL.—The Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives (referred to in this section as the “Committees”) are authorized to jointly conduct oversight hearings regarding the Capitol Police Board and may request the attendance of all members of the Capitol Police Board at any such hearing. Members of the Capitol Police Board shall attend a joint hearing under this section, as requested and under such rules or procedures as may be adopted by the Committees.

(b) TIMING.—The Committees may conduct oversight hearings under this section as determined appropriate by the Committees, but shall conduct not less than one oversight hearing under this section during each Congress.

#### SEC. 4. EFFECTIVE DATE.

The amendments made by this Act shall take effect on October 1, 2021.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which the yeas and nays are ordered.

The House will resume proceedings on postponed questions at a later time.

#### UYGHUR FORCED LABOR PREVENTION ACT

Mr. MEEKS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6256) to ensure that goods made

with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6256

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to strengthen the prohibition against the importation of goods made with forced labor, including by ensuring that the Government of the People's Republic of China does not undermine the effective enforcement of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307), which prohibits the importation of all “goods, wares, articles, and merchandise mined, produced or manufactured wholly or in part in any foreign country by ... forced labor”;

(2) to lead the international community in ending forced labor practices wherever such practices occur through all means available to the United States Government, including by stopping the importation of any goods made with forced labor, including those goods mined, produced, or manufactured wholly or in part in the Xinjiang Uyghur Autonomous Region;

(3) to coordinate with Mexico and Canada to effectively implement Article 23.6 of the United States-Mexico-Canada Agreement to prohibit the importation of goods produced in whole or in part by forced or compulsory labor, including those goods mined, produced, or manufactured wholly or in part in the Xinjiang Uyghur Autonomous Region;

(4) to actively work to prevent, publicly denounce, and end human trafficking including with respect to forced labor, whether sponsored by the government of a foreign country or not, and to restore the lives of those affected by human trafficking, a modern form of slavery;

(5) to regard the prevention of atrocities as it is in the national interest of the United States, including efforts to prevent torture, enforced disappearances, severe deprivation of liberty, including mass internment, arbitrary detention, and widespread and systematic use of forced labor, and persecution targeting any identifiable ethnic or religious group; and

(6) to address gross violations of human rights in the Xinjiang Uyghur Autonomous Region

(A) through bilateral diplomatic channels and multilateral institutions where both the United States and the People's Republic of China are members; and

(B) using all the authorities available to the United States Government, including visa and financial sanctions, export restrictions, and import controls.

#### SEC. 2. STRATEGY TO ENFORCE PROHIBITION ON IMPORTATION OF GOODS MADE THROUGH FORCED LABOR IN THE XINJIANG UYGHUR AUTONOMOUS REGION.

(a) PUBLIC COMMENT.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Forced Labor Enforcement Task Force, established under section 741 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4681), shall publish in the Federal Register a notice soliciting public comments on how best to ensure that goods mined, produced, or manufactured wholly or in part with forced labor in the People's Republic of China, including by Uyghurs, Kazakhs, Kyrgyz, Tibetans, and

members of other persecuted groups in the People's Republic of China, and especially in the Xinjiang Uyghur Autonomous Region, are not imported into the United States.

(2) PERIOD FOR COMMENT.—The Forced Labor Enforcement Task Force shall provide the public with not less than 45 days to submit comments in response to the notice required by paragraph (1).

(b) PUBLIC HEARING.—

(1) IN GENERAL.—Not later than 45 days after the close of the period to submit comments under subsection (a)(2), the Forced Labor Enforcement Task Force shall conduct a public hearing inviting witnesses to testify with respect to the use of forced labor in the People's Republic of China and potential measures, including the measures described in paragraph (2), to prevent the importation of goods mined, produced, or manufactured wholly or in part with forced labor in the People's Republic of China into the United States.

(2) MEASURES DESCRIBED.—The measures described in this paragraph are—

(A) measures that can be taken to trace the origin of goods, offer greater supply chain transparency, and identify third country supply chain routes for goods mined, produced, or manufactured wholly or in part with forced labor in the People's Republic of China; and

(B) other measures for ensuring that goods mined, produced, or manufactured wholly or in part with forced labor do not enter the United States.

(c) DEVELOPMENT OF STRATEGY.—After receiving public comments under subsection (a) and holding the hearing required by subsection (b), the Forced Labor Enforcement Task Force, in consultation with the Secretary of Commerce and the Director of National Intelligence, shall develop a strategy for supporting enforcement of Section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) to prevent the importation into the United States of goods mined, produced, or manufactured wholly or in part with forced labor in the People's Republic of China.

(d) ELEMENTS.—The strategy developed under subsection (c) shall include the following:

(1) A comprehensive assessment of the risk of importing goods mined, produced, or manufactured wholly or in part with forced labor in the People's Republic of China, including from the Xinjiang Uyghur Autonomous Region or made by Uyghurs, Kazakhs, Kyrgyz, Tibetans, or members of other persecuted groups in any other part of the People's Republic of China, that identifies, to the extent feasible—

(A) threats, including through the potential involvement in supply chains of entities that may use forced labor, that could lead to the importation into the United States from the People's Republic of China, including through third countries, of goods mined, produced, or manufactured wholly or in part with forced labor; and

(B) what procedures can be implemented or improved to reduce such threats.

(2) A comprehensive description and evaluation—

(A) of “pairing assistance” and “poverty alleviation” or any other government labor scheme that includes the forced labor of Uyghurs, Kazakhs, Kyrgyz, Tibetans, or members of other persecuted groups outside of the Xinjiang Uyghur Autonomous Region or similar programs of the People's Republic of China in which work or services are extracted from Uyghurs, Kazakhs, Kyrgyz, Tibetans, or members of other persecuted groups through the threat of penalty or for which the Uyghurs, Kazakhs, Kyrgyz, Tibetans, or members of other persecuted groups have not offered themselves voluntarily; and

(B) that includes—

(i) a list of entities in the Xinjiang Uyghur Autonomous Region that mine, produce, or manufacture wholly or in part any goods, wares, articles and merchandise with forced labor;

(ii) a list of entities working with the government of the Xinjiang Uyghur Autonomous Region to recruit, transport, transfer, harbor or receive forced labor or Uyghurs, Kazakhs, Kyrgyz, or members of other persecuted groups out of the Xinjiang Uyghur Autonomous Region;

(iii) a list of products mined, produced, or manufactured wholly or in part by entities on the list required by clause (i) or (ii);

(iv) a list of entities that exported products described in clause (iii) from the People's Republic of China into the United States;

(v) a list of facilities and entities, including the Xinjiang Production and Construction Corps, that source material from the Xinjiang Uyghur Autonomous Region or from persons working with the government of the Xinjiang Uyghur Autonomous Region or the Xinjiang Production and Construction Corps for purposes of the “poverty alleviation” program or the “pairing-assistance” program or any other government labor scheme that uses forced labor;

(vi) a plan for identifying additional facilities and entities described in clause (v);

(vii) an enforcement plan for each such entity whose goods, wares, articles, or merchandise are exported into the United States, which may include issuing withhold release orders to support enforcement of section 4 with respect to the entity;

(viii) a list of high-priority sectors for enforcement, which shall include cotton, tomatoes, and polysilicon; and

(ix) an enforcement plan for each such high-priority sector.

(3) Recommendations for efforts, initiatives, and tools and technologies to be adopted to ensure that U.S. Customs and Border Protection can accurately identify and trace goods made in the Xinjiang Uyghur Autonomous Region entering at any of the ports of the United States.

(4) A description of how U.S. Customs and Border Protection plans to enhance its use of legal authorities and other tools to ensure that no goods are entered at any of the ports of the United States in violation of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307), including through the initiation of pilot programs to test the viability of technologies to assist in the examination of such goods.

(5) A description of the additional resources necessary for U.S. Customs and Border Protection to ensure that no goods are entered at any of the ports of the United States in violation of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

(6) Guidance to importers with respect to—  
(A) due diligence, effective supply chain tracing, and supply chain management measures to ensure that such importers do not import any goods mined, produced, or manufactured wholly or in part with forced labor from the People's Republic of China, especially from the Xinjiang Uyghur Autonomous Region;

(B) the type, nature, and extent of evidence that demonstrates that goods originating in the People's Republic of China were not mined, produced, or manufactured wholly or in part in the Xinjiang Uyghur Autonomous Region; and

(C) the type, nature, and extent of evidence that demonstrates that goods originating in the People's Republic of China, including goods detained or seized pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307), were not mined, produced, or manufactured wholly or in part with forced labor.

(7) A plan to coordinate and collaborate with appropriate nongovernmental organizations and private sector entities to implement and update the strategy developed under subsection (c).

(e) SUBMISSION OF STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Forced Labor Enforcement Task Force, in consultation with the Department of Commerce and the Director of National Intelligence, shall submit to the appropriate congressional committees a report that—

(A) in the case of the first such report, sets forth the strategy developed under subsection (c); and

(B) in the case of any subsequent such report, sets forth any updates to the strategy.

(2) UPDATES OF CERTAIN MATTERS.—Not less frequently than annually after the submission under paragraph (1)(A) of the strategy developed under subsection (c), the Forced Labor Enforcement Task Force shall submit to the appropriate congressional committees updates to the strategy with respect to the matters described in clauses (i) through (ix) of subsection (d)(2)(B).

(3) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex, if necessary.

(4) PUBLIC AVAILABILITY.—The unclassified portion of each report required by paragraph (1) shall be made available to the public.

(f) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit the application of regulations in effect on or measures taken before the date of the enactment of this Act to prevent the importation of goods mined, produced, or manufactured wholly or in part with forced labor into the United States, including withhold release orders issued before such date of enactment.

**SEC. 3. REBUTTABLE PRESUMPTION THAT IMPORT PROHIBITION APPLIES TO GOODS MINED, PRODUCED, OR MANUFACTURED IN THE XINJIANG UYGHUR AUTONOMOUS REGION OR BY CERTAIN ENTITIES.**

(a) IN GENERAL.—The Commissioner of U.S. Customs and Border Protection shall, except as provided by subsection (b), apply a presumption that, with respect to any goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in the Xinjiang Uyghur Autonomous Region of the People's Republic of China or produced by an entity on a list required by clause (i), (ii), (iv) or (v) of section 2(d)(2)(B)—

(1) the importation of such goods, wares, articles, and merchandise is prohibited under section 307 of the Tariff Act of 1930 (19 U.S.C. 1307); and

(2) such goods, wares, articles, and merchandise are not entitled to entry at any of the ports of the United States.

(b) EXCEPTIONS.—The Commissioner shall apply the presumption under subsection (a) unless the Commissioner determines—

(1) that the importer of record has—

(A) fully complied with the guidance described in section 2(d)(6) and any regulations issued to implement that guidance; and

(B) completely and substantively responded to all inquiries for information submitted by the Commissioner to ascertain whether the goods were mined, produced, or manufactured wholly or in part with forced labor; and

(2) by clear and convincing evidence, that the good, ware, article, or merchandise was not mined, produced, or manufactured wholly or in part by forced labor.

(c) REPORT REQUIRED.—The Commissioner shall submit to the appropriate congressional committees and make available to the public, not later than 30 days after making a

determination of an exception under subsection (b), a report identifying the good and the evidence considered under subsection (b).

(d) REGULATIONS.—The Commissioner may prescribe regulations—

(1) to implement paragraphs (1) and (2) of subsection (b); or

(2) to amend any other regulations relating to withhold release orders in order to implement this section.

(e) EFFECTIVE DATE.—This section takes effect on the date that is 180 days after the date of the enactment of this Act.

**SEC. 4. DIPLOMATIC STRATEGY TO ADDRESS FORCED LABOR IN THE XINJIANG UYGHUR AUTONOMOUS REGION.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in coordination with the heads of other appropriate Federal departments and agencies, shall submit to the appropriate congressional committees a report that contains a United States strategy to promote initiatives to enhance international awareness of and to address forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China.

(b) MATTERS TO BE INCLUDED.—The strategy required by subsection (a) shall include—

(1) a plan to enhance bilateral and multilateral coordination, including sustained engagement with the governments of United States partners and allies, to end forced labor of Uyghurs, Kazakhs, Kyrgyz, Tibetans, and members of other persecuted groups in the Xinjiang Uyghur Autonomous Region;

(2) a description of public affairs, public diplomacy, and counter-messaging efforts to promote awareness of the human rights situation, including forced labor in the Xinjiang Uyghur Autonomous Region; and

(3) a plan—

(A) to coordinate and collaborate with appropriate nongovernmental organizations and private sector entities to raise awareness about goods mined, produced, or manufactured wholly or in part with forced labor in the Xinjiang Uyghur Autonomous Region; and

(B) to provide humanitarian assistance, including with respect to resettlement and advocacy for imprisoned family members, to Uyghurs, Kazakhs, Kyrgyz, Tibetans, and members of other persecuted groups, including members of such groups formerly detained in mass internment camps in the Xinjiang Uyghur Autonomous Region

(c) ADDITIONAL MATTERS TO BE INCLUDED.—The Secretary shall include in the report required by subsection (a), based on consultations with the Secretary of Commerce, the Secretary of Homeland Security, and the Secretary of the Treasury, the following—

(1) to the extent practicable, a list of—

(A) entities in the People's Republic of China or affiliates of such entities that use or benefit from forced labor in the Xinjiang Uyghur Autonomous Region; and

(B) Foreign persons that acted as agents of the entities or affiliates of entities described in subparagraph (A) to import goods into the United States.

(2) A plan for working with private sector entities seeking to conduct supply chain due diligence to prevent the importation of goods mined, produced, or manufactured wholly or in part with forced labor into the United States.

(3) A plan of actions taken by the United States Government to address forced labor in the Xinjiang Uyghur Autonomous Region under existing authorities, including—

(A) the Trafficking Victims Protection Act of 2000 (Public Law 106-386; 22 U.S.C. 7101 et seq.);

(B) the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (Public Law 115-441; 22 U.S.C. 2656 note); and

(C) the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 2656 note).

(d) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex, if necessary.

(e) UPDATES.—The Secretary of State may include any updates to the strategy required by subsection (a) in the annual Trafficking in Persons report required by section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)).

#### SEC. 5. IMPOSITION OF SANCTIONS RELATING TO FORCED LABOR IN THE XINJIANG UYGHUR AUTONOMOUS REGION.

(a) IN GENERAL.—Section 6(a)(1) of the Uyghur Human Rights Policy Act of 2020 (Public Law 116-145; 22 U.S.C. 6901 note) is amended by adding at the end the following: “(F) Serious human rights abuses in connection with forced labor.”.

(b) EFFECTIVE DATE; APPLICABILITY.—The amendment made by subsection (a)—

(1) takes effect on the date of the enactment of this Act; and

(2) applies with respect to the first report required by section 6(a)(1) of the Uyghur Human Rights Policy Act of 2020 submitted after such date of enactment.

(c) TRANSITION RULE.—

(1) INTERIM REPORT.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the committees specified in section 6(a)(1) of the Uyghur Human Rights Policy Act of 2020 a report that identifies each foreign person, including any official of the Government of the People's Republic of China, that the President determines is responsible for serious human rights abuses in connection with forced labor with respect to Uyghurs, Kazakhs, Kyrgyz, or members of other persecuted groups, or other persons in the Xinjiang Uyghur Autonomous Region.

(2) IMPOSITION OF SANCTIONS.—The President shall impose sanctions under subsection (c) of section 6 of the Uyghur Human Rights Policy Act of 2020 with respect to each foreign person identified in the report required by paragraph (1), subject to the provisions of subsections (d), (e), (f), and (g) of that section.

#### SEC. 6. SUNSET.

Sections 3, 4, and 5 shall cease to have effect on the earlier of—

(1) the date that is 8 years after the date of the enactment of this Act; or

(2) the date on which the President submits to the appropriate congressional committees a determination that the Government of the People's Republic of China has ended mass internment, forced labor, and any other gross violations of human rights experienced by Uyghurs, Kazakhs, Kyrgyz, Tibetans, and members of other persecuted groups in the Xinjiang Uyghur Autonomous Region.

#### SEC. 7. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate.

(2) FORCED LABOR.—The term “forced labor”—

(A) has the meaning given that term in section 307 of the Tariff Act of 1930 (19 U.S.C. 1307); and

(B) includes convict labor and indentured labor under penal sanctions.

(3) FOREIGN PERSON.—The term “foreign person” means a person that is not a United States person.

(4) PERSON.—The term “person” means an individual or entity.

(5) UNITED STATES PERSON.—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MEEKS) and the gentleman from Kentucky (Mr. BARR) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

#### GENERAL LEAVE

Mr. MEEKS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 6256.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MEEKS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 6256, the Uyghur Forced Labor Prevention Act introduced by my good friend, colleague, and chair of the Rules Committee, Mr. MCGOVERN.

Last week, Mr. Speaker, we passed Chair MCGOVERN's original legislation on the House floor. I heard my Republican friends comment that this bill was being slow-walked by the House Democrats; that we were supposedly passing Chairman MCGOVERN's bill to stall and negotiate the Senate bill. Even if we did reach agreement, my colleagues across the aisle surmised that the President would not support the compromise package.

Here we are, less than 6 days later, and a compromise between the House and the Senate versions has already been negotiated. Just a few hours ago, unsurprisingly, the Biden administration announced that it would sign this vital piece of legislation.

The biggest difference between the two packages was the House called for implementation in 120 days; the Senate wanted to wait 270 days. We have negotiated them down to 180 days. The crucial protections of this law will come into effect months earlier because of House Democrats.

Let me be clear, this is a good thing because it is a bipartisan measure. I am glad that such important legislation will pass with near unanimous support from both parties. That is what this should be.

Since 2017, the People's Republic of China has systematically carried out mass detention, torture, political indoctrination, restrictions on religious practices, and inhumane atrocities against Uyghurs and members of other

ethnic and religious minority groups in Xinjiang.

We have seen the People's Republic of China expand its extensive program of oppression and transform it into a system of state-sponsored forced labor. Under the guise of vocational training or poverty alleviation, authorities in Xinjiang have forced thousands of adults and children to work against their will and under threat of punishment to produce goods and raw materials that are then woven into international supply chains and then to our homes.

This bill, which has passed the House before, prohibits the import of goods and merchandise from Xinjiang unless the importer can prove the products did not come from forced labor, imposes sanctions on officials facilitating the use of forced labor against Chinese ethnic minorities, adds important financial disclosures for public companies that do business in the region, and also calls for a diplomatic strategy to address forced labor in Xinjiang.

This is a straightforward bill. It signals that America will not tolerate forced labor, and products made from forced labor shall not enter the American marketplace. In 2021, for any country to utilize forced labor systematically and to oppress and exploit its population is unconscionable, unacceptable, and, indeed, un-American. We cannot and will not stand idly by.

This legislation is critical to showing that we are putting human rights at the center of our foreign and economic policy. I support this bill, and I look forward to continuing to work.

Mr. Speaker, I want to thank Mr. BARR, Mr. McCaul, and my colleagues on both sides of the aisle for coming forward and speaking up, and I reserve the balance of my time.

Mr. BARR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the chairman of the House Foreign Affairs Committee, my good friend from New York (Mr. MEEKS), for his leadership in helping support this legislation and bringing it to the House floor.

I want to thank the gentleman from Massachusetts for his leadership in recognizing this serious human rights travesty that is happening.

I also want to thank the 11 House Foreign Affairs Committee Republicans who are cosponsors of this legislation, including Mr. SMITH of New Jersey.

I want to thank Senator RUBIO from Florida for working with the gentleman from Massachusetts on finding a bipartisan and bicameral compromise to bring this important legislation to the floor.

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Mr. Speaker, it is past time for this Chamber and the Congress to act to stop the Chinese Communist Party from using American consumers to subsidize its brutality. Preventing products made with slave labor from



contaminating our market is a long-standing priority of U.S. trade, not just because it puts American manufacturers at a disadvantage, but because the American values that we all share will not tolerate it.

Truly free trade cannot involve slave labor. But today, the CCP is using the forced labor of Uyghurs and other minorities to help bankroll its genocide against those very same groups. The repression taking place right now in Xinjiang is breathtaking in its scope and in its brutality. More than 1 million people have been locked in concentration camps and subjected to surveillance and brainwashing on a massive scale.

Families are being broken up and children are being taken from their parents. Forced sterilization and forced abortion are being used to limit births among ethnic groups targeted by the CCP.

This is outrageous human rights violations and the world cannot turn a blind eye. It is a horrific warning, not only to China's neighbors and to the American people, but to the world. The Chinese Communist Party is fundamentally focused on expanding its power and its authoritarian style of government. It views things that it does not control, like religion, cultural identity, and the yearning of all people for freedom, as threats that must be destroyed.

Because we have drawn the CCP into many of our most critical supply chains, it has the ability to hold our national security hostage while it uses U.S. consumers to subsidize its atrocities. This cannot stand. As many as one in five cotton garments globally are potentially tainted with Uyghur slave labor.

Last year, U.S. Customs and Border Protection seized a 13-ton shipment of human hair that originated in Xinjiang's forced labor system. We have a duty to prevent the CCP from making Americans complicit in these sickening abuses. For that reason, I support the bipartisan bill before us today, and I reserve the balance of my time.

Mr. MEEKS. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), the sponsor of this bill and chairman of the Rules Committee.

Mr. MCGOVERN. Mr. Speaker, I want to thank Chairman MEEKS for yielding me the time and for his leadership on this important issue.

Mr. Speaker, I am glad that we are able to move this compromised Uyghur Forced Labor Prevention Act so quickly after the House passed my bill, H.R. 1155, last week. And I want to thank my partner in this effort in the Senate, Senator MARCO RUBIO, for working quickly and diligently with us to negotiate this agreement. I wanted to especially thank Speaker PELOSI for her strong moral leadership in getting this done. No one in this body—and I mean no one—has had a more consistent and

principled position in standing up for the human rights of the people of China and Tibet. She has been a critical part of nearly every single piece of China human rights legislation focused on China that Congress has passed in recent years, and her steadfast commitment to getting this bill across the finish line is why we are here today.

Forced labor is a serious human rights abuse. It is illegal under United States law to import goods made with forced labor. But we are compelled to move this legislation by the genocide and crimes against humanity being committed by the Chinese Government against Uyghurs and other Muslim minorities, of which forced labor is a key factor.

We must pass this legislation to give Americans the peace of mind that the clothes they wear, the food they eat, and the technology that they use are not tainted by forced labor perpetrated by the Chinese Government.

This bill combines my legislation, which passed the House by a vote of 428-1 last week, and Senator RUBIO's bill, which passed by voice vote, into a version that both Chambers can support. This is a strong, bipartisan, bicameral consensus bill. This bill shortens the time the forced labor import ban goes into effect to 180 days, from the Senate's 300 days.

It requires a strong, clear and convincing evidence standard for exceptions to the rebuttable presumption.

It empowers the Forced Labor Enforcement Task Force to devise and oversee the strategy to prohibit the import of forced labor goods from Xinjiang.

In short, this is a good bill. It is a tougher bill than what passed the Senate, and I want to thank my House colleagues for this report.

I want to thank Chairman MEEKS again. I want to thank Ranking Member MCCAUL, Chairman NEAL, and Chairwoman WATERS for their work. I want to thank Congressman CHRIS SMITH of New Jersey for all of his support.

On the Senate side, I want to thank Senators RUBIO and MERKLEY for their leadership. And, again, I want to thank Speaker PELOSI for her strong and steadfast commitment to getting this done.

So let's stand up for human rights. Let's stand against genocide and against crimes against humanity. And let's get the Uyghur Forced Labor Prevention Act to the President's desk as soon as possible.

Mr. BARR. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from New Jersey (Mr. SMITH), a Member of this body who, for many, many years, has been a champion of human rights and, frankly, no one has done more to advance the cause of human rights than my colleague from New Jersey.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for yielding and for his leadership, and I

want to thank the chairman and the ranking member for their concerted efforts to get this legislation and like-minded legislation moving forward; and, of course, JIM MCGOVERN, he is the prime sponsor, and I am the prime Republican cosponsor, I want to thank him for his leadership on this as well. It is so very, very important.

Mr. Speaker, Mihrigul Tursun said she pleaded with God to end her life as her Chinese jailers increased the electrical currents coursing through her body.

Mihrigul, a Muslim Uyghur, whose escape from Xi Jinping's genocide led her to the United States, actually broke down weeping at a November 28, 2018, congressional hearing co-chaired by Senator MARCO RUBIO and I—as co-chairs of the Congressional-Executive Commission on China—as she recounted her experience in one of China's infamous concentration camps.

She testified, and I quote her in part, that “there were around 60 people kept in a 430-square-foot cell, so at night, 10 to 15 women would stand up while the rest of us would sleep on our sides.” She said, “There were people there who had not taken a shower in over a year.

“I clearly remember the torture . . .” she said, “in the tiger chair the second time I was incarcerated. I was taken to a special room with an electric chair. It was the interrogation room, and it had one light and one chair. There were belts and whips hanging on the wall. I was placed in a high chair that clicked to lock my arms and legs in place and tightened when they pressed the button.”

She goes on, “My head was shaved beforehand for the maximum impact. The authorities put a helmet-like thing on my head. Each time I was electrocuted,” she went on, “my whole body would shake violently, and I could feel the pain in my veins. I thought I would rather die than go through this torture and begged them to kill me. They insulted me with humiliating words and pressured me to admit my guilt.

“The nights were the busiest time in the camps,” she went on. “A lot of activities such as transferring people between cells and removing the dead bodies would happen all night long. In the silence of the night, we would hear the men from the other cells groaning in agony. We could hear the beatings, the men screaming. . . .”

“While burying my 4-month-old baby,” she had had triplets, “I was tormented and filled with the guilt of not being able to save my son.”

She admonished us, pleaded with us, “Please take action against the Chinese officials responsible for my torture and the death of my little boy and the death of so many innocent Uyghurs in the camps.”

Mr. Speaker, there are millions and millions of stories just like this waiting to be told, truly nightmarish accounts of President Xi Jinping's genocide.

In response, I, joined by my friend and colleague, TOM SUOZZI, introduced

the Uyghur Human Rights Policy Act of 2018.

But this bill, H.R. 1155, the Uyghur Forced Labor Prevention Act, which, again, I cosponsored with Mr. McGovern, is important and necessary to end or at least mitigate our complicity in Xi Jinping's genocide.

Let's not forget the documents obtained by The New York Times which made clear that this is Xi Jinping's genocide. He ordered it. And early next year he will be hosting the Winter Olympics.

The leaked documents show Xi saying things like show "absolutely no mercy" in dealing with the Uyghurs and other predominantly Muslim minorities. In one speech he said: "The weapons of the people's democratic dictatorship must be wielded without any hesitation or wavering."

Mr. Speaker, the Uyghur Forced Labor Prevention Act prohibits imports from Xinjiang to the U.S. by creating a rebuttable presumption. That is the core of this bill, a presumption that all goods produced in the region are made with forced labor unless U.S. Customs and Border Protection certifies by clear and convincing evidence that goods were not produced with forced labor. It is a good bill and deserves the support of every Member of this body.

Mr. MEEKS. Mr. Speaker, it is my honor to yield 3 minutes to the gentleman from Rhode Island (Mr. CICILLINE), a great member of the Foreign Affairs Committee.

Mr. CICILLINE. Mr. Speaker, I thank the chairman for yielding and thank him for his extraordinary bipartisan leadership on this issue and on so many issues that come before our committee. I want to begin by acknowledging the leadership of the Speaker who has been an advocate and a strong voice for human rights around the world, but particularly in China for many, many years.

I rise, Mr. Speaker, in strong support of this bicameral version of the Uyghur Forced Labor Prevention Act, to ensure that the United States does all we can to condemn the appalling human rights record of the Chinese Government against Uyghur Muslims. With the ongoing genocide against the Uyghur population in Xinjiang, and with the crackdown on democracy and the rule of law in Hong Kong, the world has seen what a glimpse of Chinese leadership in the international system would mean: a rejection of human rights; a commitment to authoritarianism; a silenced press; and the abandonment of the rule of law.

In Xinjiang, over 1 million members of the Uyghur population have been forced to live in squalor; forced to abandon their beliefs; forced to abandon their children; and forced to work. Many have been tortured. Many have died. All have suffered.

Policies undertaken in Xinjiang continue to stir the conscience and represent this country's most agonizing

human rights catastrophes ever. The Chinese Government has unleashed a series of draconian measures that should give anyone in the civilized world a pause. They have mandated abortions, they have forcibly sterilized men and women; they have forcibly taken over half a million children from their families, and they have sent them to so-called reeducation centers.

They monitor the movements and the online activities of millions, ensuring Uyghurs and other minorities are robbed of their privacy; and they force Uyghurs and other minorities into factories for no pay and with no recourse.

We must recognize that the Chinese Government built this policy over time. What has happened to the Uyghur population is not borne out of spontaneous brutality; it has been a well-planned endeavor designed to extinguish a population that China finds undesirable.

This is a systematic policy that denies the Uyghurs their humanity, their dignity, and seeks to ultimately deny them of their existence.

We must do all we can to ensure that the clarion call of "never again" reverberates around the globe. This bill would ensure that goods made in the Xinjiang Uyghur Autonomous Region imported into the United States are not made with forced labor.

I want to thank Chairman McGovern for his extraordinary leadership and urge all of my colleagues to support the Uyghur Forced Labor Prevention Act and again thank the chairman for his courtesy.

Mr. BARR. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in recent years the world has stood by as the Chinese Communist Party has detained more than 1 million ethnic minorities in concentration camps where they are tortured, brainwashed, and put into forced labor. This is all part of a deliberate program by the CCP to wipe out their ethnic identity, their religion, their culture, anything that might compete with the Communist Party for their loyalties and affection.

We have a moral duty to speak out against these horrifying crimes, but we have an even greater duty to avoid funding this genocide by paying for slave labor in Xinjiang.

Many American companies have built their businesses on values that include respect for basic human rights. The United States must continue to lead the world in setting corporate responsibility standards. There can no longer be business as usual with China. The world is watching.

While this bill did not go through regular order in the Foreign Affairs Committee, I commend Chairman McGovern and Senator Marco Rubio for coming to this important bipartisan agreement.

I appreciate the chairman's leadership, and it is good to have a bipartisan bill where we stand united in one voice for human rights, and to hold the Chinese Communist Party accountable.

I support this bill. I urge my colleagues to support this bill, and I yield back the balance of my time.

□ 2100

Mr. MEEKS. Mr. Speaker, I yield myself such time as I may consume.

H.R. 6256, the Uyghur Forced Labor Prevention Act, is an opportunity for this body to send a resounding message to the world. We are engaged in a strategic competition with China around the world, and our stance on this issue, I believe, will define why our system is better. We aggressively oppose forced labor and Islamophobia, and we will back up our values with our actions.

In this major piece of legislation, we are doing it together, Democrats and Republicans, working with Ranking Member MCCAUL and others, because it is the right thing to do. It is the right message to send.

So let us do it; let us get it out; let us stand tall; let us be true to our values. Let not China get away with Islamophobia. Let's make sure we wipe out Islamophobia, racism, and anti-Semitism from all corners of this place that we call the planet Earth.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MEEKS) that the House suspend the rules and pass the bill, H.R. 6256.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### PROVIDING FOR CONSIDERATION OF S.J. RES. 33, JOINT RESOLUTION RELATING TO INCREASING THE DEBT LIMIT

Mr. MORELLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 852 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 852

*Resolved*, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (S.J. Res. 33) joint resolution relating to increasing the debt limit. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means or their respective designees; and (2) one motion to commit.

The SPEAKER pro tempore. The gentleman from New York is recognized for 1 hour.

Mr. MORELLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman



from Texas (Mr. BURGESS), my distinguished colleague from the Rules Committee, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

#### GENERAL LEAVE

Mr. MORELLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MORELLE. Mr. Speaker, today, the Rules Committee met and reported a rule, House Resolution 852, providing for consideration of S.J. Res. 33, a joint resolution relating to increasing the debt limit, under a closed rule. The rule provides for 1 hour of debate equally divided and controlled by the chair and ranking member of the Committee on Ways and Means, or their designees, and provides one motion to commit.

Mr. Speaker, I rise today to urge my colleagues to adopt the rule and support lifting the Nation's debt ceiling.

Failing to lift the debt ceiling and defaulting on our debt is not an option. If we do not act, a default could result in the loss of millions of jobs and \$15 trillion in household wealth, according to nonpartisan Moody's Analytics economist Mark Zandi. Mr. Zandi has characterized a default as "financial Armageddon," and JPMorgan Chase CEO Jamie Dimon has gone even further, stating that a default "could cause an immediate, literally cascading catastrophe of unbelievable proportions and damage America for 100 years."

Earlier this year, a bipartisan group of former Treasury Secretaries wrote to Congress arguing that protecting U.S. creditworthiness is a "sacrosanct responsibility." I couldn't agree more.

Let's be clear about what we are talking about here today. The debt limit is the total amount of money that the United States Government is authorized to borrow to meet its existing legal obligations, including Social Security and Medicare benefits, payments to veterans and servicemembers, and tax refunds. The debt limit does not authorize any new spending; it simply allows the government to pay its bills for obligations it has already incurred.

Mr. Speaker, much of this debt was accrued on a bipartisan basis. It includes emergency measures to combat the pandemic and increase defense spending. While many on the other side of the aisle have tried to tie raising the debt ceiling to our efforts to pass the President's agenda, it should be noted that 97 percent of the total national debt accrued before President Biden even took office.

Since 1960, Congress has acted 78 times to address the debt limit, 49 times under Republican Presidents and

29 times under Democratic Presidents. In the last 10 years, the debt limit has been addressed seven times on a bipartisan basis, including three times under the last administration, during which, I would like to remind my Republican colleagues, \$7.8 trillion of the total national debt was incurred.

Arguments about raising the debt ceiling have become nonsensical. In the current discourse, both sides of the aisle have agreed to spend Federal dollars on important programs, but only one side of the aisle believes that we should actually fulfill our obligations to pay our creditors for those very same programs.

Mr. Speaker, if we choose not to honor our obligations to creditors, what message does that send to the American people and, frankly, the rest of the world? Everyday Americans pay their bills and honor their commitments. Why shouldn't we do the same?

Mr. Speaker, it is frankly outrageous to hold the position that we shouldn't be held to the same standard as families who work hard to find a way to pay their bills every day.

I urge my colleagues to support the rule and the underlying legislation to raise our Nation's debt ceiling, ensuring that America can continue to pay its bills and honor its obligations.

Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I thank Representative MORELLE for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, this rule provides for consideration of S.J. Res. 33, a bill to raise the debt ceiling by \$2.5 trillion.

The Federal debt limit began over 100 years ago, in 1917, and it has been required to be raised 100 times since then.

The problem isn't whether we should increase our debt limit; it is that we have to issue debt at all. Debts are issued to cover the difference between what you make and what you spend. When you spend more than you make, you have to find a way to pay for the spending.

We are in the middle of a spending spree. For the last 11 months, well over \$1 trillion in taxpayer money was spent largely on partisan priorities, and more likely coming if the Democrats manage to get a final agreement on the Build Back Better Act or perhaps what more aptly might be described as a socialist spending scam.

On December 10, the Congressional Budget Office published an estimate of the Build Back Better Act, confirming the bill's true cost to be almost \$5 trillion, \$4.9 trillion, while adding \$3 trillion in new debt.

Democrats claim the bill is paid for, but that is simply not true. Now, it is confirmed by independent analysis. Instead of zero dollars, the bill will create a carve-out for deducting State and local taxes that will add almost \$250 billion to the deficit.

□ 2110

It will protect so-called green companies from a new minimum tax and provide \$12,500 tax credits for purchasing an electric vehicle so long as that vehicle is made using union labor.

The bill will also provide billions in benefits to the wealthy through the expanded child tax credit that will add over \$1.5 trillion to the deficit if this policy is made permanent, and that is, of course, what is being pushed for in the Build Back Better Act.

Additionally, the \$1 trillion infrastructure bill that the Democrats just ushered into law requires a \$118 billion transfer from Treasury to the highway trust fund, which Treasury Secretary Janet Yellen has stated will occur tomorrow, December 15.

Republicans will not support raising the debt limit while Democrats push through trillions of dollars for purely partisan political spending, thereby depleting our Treasury not just for today but for generations to come.

Unfortunately, all this spending will only exacerbate the very high rate of inflation, inflation which has been crippling so many Americans and causing so much suffering in the last 11 months.

According to the Bureau of Labor Statistics, in November, the Consumer Price Index rose by 0.8 percent, but 6.8 percent over the last 12 months. The most significant increase was in the energy sector, while prices went up for gas, food, shelter, and vehicles, among other things.

Here is the real bad news: We have only seen the tip of the iceberg when it comes to inflation. Likely, the inflation rates by March are going to be absolutely astonishing. And that is what happens when you push so many dollars out into an economy that has no way to absorb them.

Sure, 2 years ago we all voted for the CARES Act, a trillion dollars to rescue the country from the coronavirus. And then there was additional coronavirus relief passed in December. And then almost immediately another coronavirus bill in February, and then the transportation bill in September, and now the Build Back Better Act.

The economy simply cannot absorb those dollars that the Federal Government is pushing out. They have got no place to go except to create more and more inflation. And who does inflation hurt? It hurts those people at the lower end of the income scale.

Despite repeated encouragement from the Committee on the Budget Ranking Member JASON SMITH and Senator MCCONNELL, Democrats have refused to raise the debt ceiling through reconciliation, which of course is their right to do. They have majorities in both the House and the Senate.

They have had ample time to do this, but they simply would not act. So, instead, a temporary extension that would only last a couple of months happened earlier this year. And now, once again, in the middle of the night,

we are having to vote on a bill to increase the national debt in order to pay for Democrats' social spending and infrastructure policies.

Democrats claim that raising the debt limit has always been bipartisan. But, you know, here is just a little bit of history: In 1993, the Democrats used reconciliation to raise the debt limit with a party-line vote in the omnibus budget reconciliation bill.

In 2010, the Democrats again raised the debt limit by \$1.9 trillion with a purely party-line vote. Republicans voted in opposition out of concern for the then-Obama administration's amount of spending that was occurring. A New York Times article reporting on the vote said, "They wanted to raise the ceiling enough to avoid putting their Members through another such vote before the midterm elections."

Do you kind of get the sense that history is repeating itself tonight?

Financial success and financial longevity begins years before it is realized. We certainly cannot be reckless and feckless with the Nation's future now. Under no argument is this plan fiscally responsible. Under no fantasy is the Build Back Better Act paid for.

We have to remember to be beneficial to the American people, we have to be demonstrative of representative government. We should not be raising the debt limit to allow for continuation of partisan social spending.

Mr. Speaker, I urge opposition to the rule, and I reserve the balance of my time.

Mr. MORELLE. Mr. Speaker, I yield myself such time as I may consume.

Those who know me know I am not a very sophisticated guy, and they also know I am not a financial wizard; but I will tell you this: I would love to have a philosophical debate, maybe sit down, have a cup of coffee with the distinguished gentleman from Texas, and we might even find some common ground about what our practices ought to be relative to spending and taxing and all those things.

But to be clear, none of what Dr. BURGESS just talked about has anything to do with what we are doing here today. Ninety-seven percent of the debt that we have incurred as a Nation happened before Joe Biden took office.

As for Build Back Better, which many on our side of the aisle are working to try to enact, that is something that is prospective. We are talking tonight about paying the bills of things that we have already agreed to pay for. It has absolutely nothing to do with it.

I appreciate the distinguished gentleman because he is trying to bring into this debate many things which have no relevance here, apparently to make a better case, but the truth is we have a decision before us that is a serious one. It not only affects the creditworthiness of the United States, but it affects global markets. This would be, as I indicated earlier, catastrophic. This is Armageddon if it doesn't happen.

Just to note, in 2016, prior to the election of the previous administration, the national debt was \$19.5 trillion or 105 percent of GDP. In 2020, when the administration's time had run its course, the debt had risen to \$27.7 trillion or 129 percent of GDP, a \$7.8 trillion increase. Included in that was a \$1.9 trillion tax cut, which hasn't paid for itself, which has added dramatically to the debt. But the debt has been accumulated during decades of real need by the American public.

So we could have a conversation; and, frankly, the discussion about spending takes place in the Appropriations Committee, it takes place in the Budget Committee, taxation takes place in the Ways and Means Committee. What we are doing now is making a decision to pay our bills. Fundamentally, bottom line. It doesn't require a whole lot of sophistication or talk about financial markets. It is clearly a simple question, are we going to pay for the things that we have agreed to buy, and that is it. It is as simple as can be.

Every household in America makes those decisions. You get something, you get a bill in the mail, you pay for it. Even if you have buyer's remorse, even if your wife says to you that fine exercise thing that you bought, which is going to be the most expensive coat hanger in the house because you are not going to use it, we still pay for it because it is in the house, and we bought it. That is as simple as it can possibly be.

Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if we defeat the previous question, Republicans will amend the rule to immediately consider an amendment to the Democrats' fiscal year 2022 budget resolution to replace the socialist \$5 trillion tax-and-spend reconciliation instructions with new instructions for authorizing committees to produce legislation to reduce the deficit to combat runaway inflation currently fueling the highest price spike in 40 years and to get Americans back to work.

Mr. Speaker, I ask unanimous consent to insert the text of this amendment into the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

Mr. Speaker, I yield 4 minutes to the gentleman from Missouri (Mr. SMITH), the ranking member of the Budget Committee, to explain the amendment.

Mr. SMITH of Missouri. Mr. Speaker, if we defeat the previous question, we will consider an amendment to the rule to replace the socialist \$5 trillion tax-and-spend reconciliation instructions from the fiscal year 2022 budget with a new call for committees to draft legislation to reduce the deficit, to combat runaway inflation and help get Americans back to work.

This country has been through a lot in the past year under one-party rule

by the Washington Democrats and President Biden.

We have an inflation crisis; we have an energy crisis; we have a border crisis; and we have a supply chain crisis. Contributing to it all is a leadership crisis in the Oval Office.

With all of these problems, you would think Democrats would finish the year addressing just one—just one—of those issues.

But instead, Mr. Speaker, we are here on the last day of session for the year, and Democrats have chosen to spend this valuable time attacking former President Trump and his staff, attacking members of the Republican Conference, and they have even found room to include a \$2.5 trillion increase to the debt ceiling.

□ 2120

In fact, since Speaker PELOSI took the gavel in the House in 2019, House Democrats have added more than \$9 trillion—House Democrats since 2019 have added more than \$9 trillion to the national debt, which is more than the combined deficits under all 72 years that Republicans have ever been in the majority.

The American people, Mr. Speaker, they deserve a Congress that is focused on the problems that they are facing in their everyday lives; a Congress that is delivering on policies to stop the runaway rise in prices, a problem that has now reached a 40-year high.

Even President Biden's budget in May predicted inflation at 2 percent, Mr. Speaker. We are now at over 7 percent, the highest inflation in 40 years.

The White House administration says that inflation is a high-class problem, Mr. Speaker. I will tell you, the people across America believe it is a real problem. They care about the prices in the grocery store. They don't care about the prices in the stock market.

But you know what, House Democrats argue and say inflation is transitory, yet now they are finally agreeing that these rising costs in prices are actually having a real impact.

We could be working on legislation to actually help American families by reducing the cost of energy during the winter.

To do that, we need to get rid of the reconciliation instructions in the Democrats' budget, the same reconciliation plan that has paralyzed Washington for months as Democrats fought over how to spend \$5 trillion.

Even the Congressional Budget Office on Friday confirmed that what passed out of this Chamber a few weeks ago does not cost zero. It cost \$5 trillion.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BURGESS. Mr. Speaker, I yield the gentleman an additional 2 minutes.

Mr. SMITH of Missouri. Mr. Speaker, the official congressional scorekeepers said on Friday that the build back broke bill that passed out of here a couple weeks ago did not cost \$1.5 trillion, did not cost \$2 trillion, but cost \$5

trillion. But this administration will say it costs zero.

The American people see right through it. They see right through this mess. And they know one thing. They know that this is nothing but hogwash. It is hogwash, Mr. Speaker. And we should instead replace all of these reconciliation instructions to bring forward a plan to reduce the deficit and stop the inflation that is destroying family budgets.

Mr. Speaker, I ask all my colleagues on both sides of the aisle to defeat the previous question, so that we can actually work on legislation to help American families at the supermarket, to help combat a price spike that is pushing working families to the brink and to actually provide some real solutions this week on behalf of the American people whom we represent in this body.

Mr. MORELLE. Mr. Speaker, I yield myself such time as I may consume.

I appreciate Mr. SMITH's enthusiasm and exuberance. The arguments that folks would make that House Democrats are responsible for the spending of the Trump administration and the Trump White House, that argument is, frankly, absurd and happened during a global pandemic, so we had much work to do to spare the American public.

But I am going to do this: Moved by the spirit of the season, I am going bestow a gift on Members, and I am not going to rebut point by point but rather reserve the balance of my time and allow my colleague to speak.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. FALLON).

Mr. FALLON. Mr. Speaker, if our friends across the aisle are concerned about paying our bills and they are alarmed by the debt, then I think we should all get together, all 435 Members, and talk about fiscal responsibility and pass a balanced budget amendment. That is the way forward and to avert this financial catastrophe that we are flirting with.

Let's be very candid, Mr. Speaker, about what we are doing here. Let's be candid with the American people about what we are doing here in this Chamber tonight.

This is about a debt ceiling limit increase to ram through more wasteful and reckless spending.

We are renovating our house in Texas, and I found an old political mailer, a 9-year-old mailer; and I was outraged about the fact that we had a \$14 trillion debt. Today that is \$29 trillion.

It is not about placing blame on Republicans or Democrats, it is about recognizing we have an issue that is going to destroy this country if we don't address it. And we continue to kick the can down the road and land that can on the backs of future generations like my 15-year-old son and my 12-year-old son.

There are failed states in this world. Here is a \$100 trillion bill from the Nation of Zimbabwe. It is worth maybe 40 cents. It is essentially worthless. That

could be what we end up with if we don't recognize the fact that at the local level cities can't spend more than they take in, counties can't, even States can't. So why does the Federal Government get to? Because we own a printing press down the street?

Let's be responsible. Let's work together. This Chamber 20-plus years ago passed a balanced budget amendment, if I am not mistaken, and it failed in the Senate. It is time to do the right thing, the courageous thing, the American thing, and pass a balanced budget amendment.

Mr. MORELLE. Mr. Speaker, I yield myself such time as I may consume.

I wonder, when the gentleman finished his home's renovations if he paid the contractor or refused to pay because he might be tempted to do renovations in the future.

Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, just before I close, I do want to take a moment and acknowledge that it was 1 year ago last night that the FedEx trucks departed from Kalamazoo, Michigan, carrying the very first doses of what we now know as the Pfizer-BioNTech vaccine.

And when you stop and reflect upon what was accomplished between the middle of May and the middle of December of 2020, it truly was a startling scientific accomplishment; not one, not two, but three vaccines.

We told ourselves at the beginning of the Operation Warp Speed process that if we got 40 to 45 percent effectiveness, it would be a victory, and those vaccines delivered in excess of 90 percent. People might quibble and say, well, you have to get a booster or you have to get an additional shot. We are so fortunate to have those tools to be able to combat this illness.

We are by no means through, but then even just last week the additional news that now an oral medication, the so-called Tamiflu for coronavirus, is now available, which I submit is going to change with the application of additional therapeutics, is really going to change the equation, and I just wanted to take a minute and reflect on that.

We are, again, just one day past the 1-year anniversary of Kalamazoo, Michigan, delivering that vaccine to the world.

Otherwise in closing to this argument, raising the debt ceiling to \$2.5 trillion does seem a tad irresponsible in the middle of unprecedented spending by House Democrats. You have got control of the White House, you have got control of the Senate, you have got control of the House, and you haven't passed a single appropriations bill.

How are we supposed to run our business if we will not do our normal work and pass a budget and pass the 12 appropriations bills?

□ 2130

The Federal Government is currently operating under the second continuing

resolution of this fiscal year. One-third of Federal spending is done through discretionary appropriations. When you stop to think about it, that is really not much. That means two-thirds comes through on autopilot. But the amount that we actually tell ourselves we are going to control, the one-third of the Federal budget, we haven't done our work.

Now, we are talking about raising the debt limit to pay for trillions of dollars in spending, and the Democrats won't even fund the basic functions of government through regular appropriations. That actually comes at a cost. It is very difficult to get a phone call answered by a Federal agency, by the head of a Federal agency, by a Cabinet Secretary because we no longer make the appropriations.

These folks are relatively new on the job, within the last year. They have no history of knowing that they have to come to Congress to get their appropriations bills passed. So as a consequence, they basically ignore the Congress.

Democrats are desperate to push through as much social spending as they can because the balance of power, quite likely, is getting ready to change. Why else would they be so reckless in such a short amount of time with Americans' hard-earned taxpayer dollars? We cannot push inflation higher by raising the debt limit to allow for trillions in additional partisan spending.

Mr. Speaker, here is the real problem that is going to lead to that balance of power shift. It is inflation that is at levels that have not been seen since the Carter administration.

Again, my prediction is, over the next 6 months, this is going to become a great deal worse. It will be unsustainable for most American families who live paycheck to paycheck. Then on top of that, it is a spending level that is driving that inflation level. And we are doing nothing, nothing to put the brakes on that.

Mr. Speaker, again, I urge a "no" vote on the previous question so we can get to the talk for fiscal sanity and "no" on the underlying measure, and I yield back the balance of my time.

Mr. MORELLE. Mr. Speaker, I yield myself such time as I may consume.

First, let me echo Dr. BURGESS' comments about the vaccine. I want to encourage every American to get that vaccine. We still have far too many people who have chosen not to get the vaccine and the third dose, for those who are eligible, under the messenger RNA, to do a third shot. But we encourage every single American to do it, and I want to make sure to repeat that. I join with my colleague in thanking those who made that possible.

Mr. Speaker, I also thank all of my colleagues for their work in support of the rule before us today. As I mentioned earlier, protecting U.S. creditworthiness is a sacred responsibility, and it would be an abdication of that

sacred responsibility to fail to address the debt limit and ensure that the United States Government pays its bills.

We have heard a lot of rhetoric today, but we all know that the measure before us today is not about new spending. No matter how many times it is said, it is not about new spending.

We are acting today to ensure that America can pay its obligations that we have already agreed to incur. Pretending otherwise is a disservice to the American people.

Mr. Speaker, I urge a “yes” vote on the rule and the previous question.

The material previously referred to by Mr. BURGESS is as follows:

#### AMENDMENT TO HOUSE RESOLUTION 852

At the end of the resolution, add the following:

SEC. 2. The provisions of Senate Concurrent Resolution 14 shall continue to have force and effect for all purposes in the House, except with the following revisions:

(1) In title II—

(A) strike “increase” in each place it appears and insert “decrease”;

(B) strike “by not more than” in each place it appears and insert “by at least”;

(C) strike each dollar amount and insert “\$100,000,000”; and

(D) strike “September 15, 2021,” in each place it appears and insert “December 31, 2021.”

(2) By adding at the end the following:

#### TITLE V—POLICY STATEMENT ON INFLATION AND RECONCILIATION

#### SEC. 501. POLICY STATEMENT ON INFLATION AND RECONCILIATION.

(a) FINDINGS.—The House finds the following as it relates to the inflationary impact of the policies of the Democrat-controlled Congress and Biden Administration:

(1) President Biden’s Fiscal Year 2022 budget request assumed inflation, under the Administration’s policies, would amount to two percent in 2021, 2022, and over the next decade.

(2) Actual inflation under the Administration’s policies has totaled more than three times these estimates.

(3) Since Joe Biden took office, inflation has increased at an annualized rate of more than seven percent, the highest level in 40 years.

(A) Gasoline prices have increased by 58 percent on an annualized basis.

(B) Household energy prices have increased by 13 percent on an annualized basis.

(C) Meat prices have increased by 14 percent on an annualized basis.

(D) According to the Congressional Budget Office, “Inflation has eroded the purchasing power of families”.

(4) There is a clear link between the Democrats’ reckless out-of-control deficit spending and the inflation crisis Americans currently face. After one year of Democrat control, House Democrats have passed \$7.5 trillion in new spending—more than the Federal Government has ever spent in any year in American history—\$3 trillion of which has been enacted. This amounts to nearly \$60,000 per American household. This includes Public Law 117–2, Public Law 117–58, and as confirmed by the Congressional Budget Office, the \$5 trillion reckless reconciliation spending plan—the largest spending bill in United States history, and the direct product of the prior reconciliation instructions previously enacted.

(b) POLICY ON HALTING OUT-OF-CONTROL DEFICIENT SPENDING AND PROMOTING POLICIES

TO ADDRESS THE INFLATION CRISIS.—It is the policy of this concurrent resolution to adopt reconciliation instructions that instruct authorizing committees to produce legislation to:

(1) Cut Washington spending to reduce the deficit and combat governmental fueled inflation.

(2) Address the crisis of rising prices currently facing American families by providing solutions to bring down the cost of goods and get more Americans back to work.

SEC 3. H.R. 5376 is laid on the table.

Mr. MORELLE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BURGESS. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 220, nays 212, not voting 1, as follows:

[Roll No. 445]

YEAS—220

Adams  
Aguilar  
Alfred  
Auchincloss  
Axne  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Bourdeaux  
Bowman  
Boyle, Brendan  
F.  
Brown (MD)  
Brown (OH)  
Brownley  
Bush  
Bustos  
Butterfield  
Carbajal  
Cárdenas  
Carson  
Carter (LA)  
Cartwright  
Case  
Casten  
Castor (FL)  
Castro (TX)  
Chu  
Cicilline  
Clark (MA)  
Clarke (NY)  
Cleaver  
Clyburn  
Cohen  
Connolly  
Cooper  
Correa  
Costa  
Courtney  
Craig  
Crist  
Crow  
Cuellar  
Davids (KS)  
Davis, Danny K.  
Dean  
DeFazio  
DeGette  
DeLauro  
DelBene  
Delgado  
Demings

DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Escobar  
Eshoo  
Español  
Evans  
Fletcher  
Foster  
Frankel, Lois  
Gallego  
Garamendi  
Garcia (IL)  
Garcia (TX)  
Golden  
Gomez  
Gonzalez,  
Vicente  
Gottheimer  
Green, Al (TX)  
Grijalva  
Harder (CA)  
Hayes  
Higgins (NY)  
Himes  
Horsford  
Houlahan  
Hoyer  
Huffman  
Jackson Lee  
Jacobs (CA)  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson (TX)  
Jones  
Kahele  
Kaptur  
Keating  
Kelly (IL)  
Khanna  
Kildee  
Kilmer  
Kim (NJ)  
Kind  
Kirkpatrick  
Krishnamoorthi  
Kuster  
Lamb  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee (CA)

Ryan  
Sánchez  
Sarbanes  
Scanlon  
Schakowsky  
Schiff  
Schneider  
Schrader  
Schrier  
Scott (VA)  
Scott, David  
Sewell  
Sherman  
Sherrill  
Sires  
Slotkin  
Smith (WA)

Soto  
Spanberger  
Speler  
Stansbury  
Stanton  
Stevens  
Strickland  
Suoizzi  
Swalwell  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tlaib  
Tonko  
Torres (CA)  
Torres (NY)

Trahan  
Trone  
Underwood  
Vargas  
Veasey  
Vela  
Velázquez  
Wasserman  
Schultz  
Waters  
Watson Coleman  
Welch  
Wexton  
Wild  
Williams (GA)  
Wilson (FL)  
Yarmuth

NAYS—212

Aderholt  
Allen  
Amodei  
Armstrong  
Arrington  
Babin  
Bacon  
Baird  
Balderson  
Banks  
Barr  
Bentz  
Bergman  
Bice (OK)  
Biggs  
Bilirakis  
Bishop (NC)  
Boebert  
Bost  
Brady  
Brooks  
Buchanan  
Buck  
Bucshon  
Budd  
Burchett  
Burgess  
Calvert  
Cammack  
Carey  
Carl  
Carter (GA)  
Carter (TX)  
Cawthorn  
Chabot  
Cheney  
Cline  
Cloud  
Clyde  
Cole  
Comer  
Crawford  
Crenshaw  
Curtis  
Davidson  
Davis, Rodney  
DesJarlais  
Diaz-Balart  
Donalds  
Duncan  
Dunn  
Ellzey  
Emmer  
Estes  
Fallon  
Feenstra  
Ferguson  
Fischbach  
Fitzgerald  
Fitzpatrick  
Fleischmann  
Fortenberry  
Fox  
Franklin, C.  
Scott  
Fulcher  
Gaetz  
Gallagher  
Garbarino  
Garcia (CA)  
Gibbs

Gimenez  
Gohmert  
Gonzales, Tony  
Gonzalez (OH)  
Good (VA)  
Gooden (TX)  
Gosar  
Granger  
Graves (LA)  
Graves (MO)  
Green (TN)  
Greene (GA)  
Griffith  
Grothman  
Guest  
Guthrie  
Hagedorn  
Harris  
Harshbarger  
Hartzler  
Hern  
Herrell  
Herrera Beutler  
Hice (GA)  
Hill  
Hinson  
Hollingsworth  
Hudson  
Huizenga  
Issa  
Jackson  
Jacobs (NY)  
Johnson (LA)  
Johnson (OH)  
Johnson (SD)  
Jordan  
Joyce (OH)  
Joyce (PA)  
Katko  
Keller  
Kelly (MS)  
Kelly (PA)  
Kim (CA)  
Kinzinger  
Kustoff  
LaHood  
LaMalfa  
Lamborn  
Latta  
LaTurner  
Lesko  
Letlow  
Long  
Loudermilk  
Lucas  
Luetkemeyer  
Mace  
Malliotakis  
Mann  
Massie  
Mast  
McCarthy  
McCaul  
McClain  
McClintock  
McHenry  
McKinley  
Meijer  
Meuser  
Miller (IL)  
Miller (WV)

Miller-Meeks  
Moolenaar  
Mooney  
Moore (AL)  
Moore (UT)  
Mullin  
Murphy (NC)  
Nehls  
Newhouse  
Norman  
Nunes  
Oberholte  
Owens  
Palazzo  
Palmer  
Pence  
Perry  
Pfluger  
Posey  
Reed  
Reschenthaler  
Rice (SC)  
Rodgers (GA)  
Rogers (AL)  
Rogers (KY)  
Rose  
Rosendale  
Rouzer  
Roy  
Rutherford  
Salazar  
Scalise  
Schweikert  
Scott, Austin  
Sessions  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smucker  
Spart  
Stauber  
Steel  
Stefanik  
Steil  
Steube  
Stewart  
Taylor  
Tenney  
Thompson (PA)  
Tiffany  
Timmons  
Turner  
Upton  
Valadao  
Van Drew  
Van Duyn  
Wagner  
Walberg  
Walorski  
Waltz  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams (TX)  
Wilson (SC)  
Wittman  
Womack  
Young  
Zeldin

NOT VOTING—1

Higgins (LA)

□ 2208

So the previous question was ordered.  
The result of the vote was announced  
as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE  
RESOLUTION 8, 117TH CONGRESS

Amodei	Graves (MO)	Neguse
(Balderson)	(Fleischmann)	(Perlmutter)
Armstrong	Green (TN)	Nehls (Fallon)
(Johnson (SD))	(Fleischmann)	Newman (Wild)
Axne (Wild)	Grijalva	Nunes (Garcia
Baird (Bucshon)	(Stanton)	(CA))
Barragán (Beyer)	Guthrie	Ocasio-Cortez
Bass (Cicilline)	(Bucshon)	(Garcia (IL))
Beatty (Blunt	Hagedorn	O'Halleran
Rochester)	(Moolenaar)	(Stanton)
Bera (Aguilar)	Hartzler	Owens
Bilirakis	(DesJarlais)	(Stewart)
(Fleischmann)	Hayes (Wild)	Pascrell
Blumenauer	Hern (Lucas)	(Pallone)
(Beyer)	Herrera Beutler	Payne (Pallone)
Bonamici	(Rice (SC))	Peters (Kildee)
(Kuster)	Horsford (Carter	Pingree (Kuster)
Bowman (Pocan)	(LA))	Porter (Aguilar)
Boyle, Brendan	Huffman (Levin	Posey
F. (Evans)	(CA))	(Cammack)
Brooks (Moore	Jacobs (CA)	Price (NC)
(AL))	(Correa)	(Connolly)
Brownley	Jacobs (NY)	Reed (Rice (SC))
(Kuster)	(Garbarino)	Reschenthaler
Buchanan	Jackson (Van	(Burgess)
(Waltz)	Duynne)	Rodgers (WA)
Butterfield	Jayapal (Raskin)	(Joyce (PA))
(Kildee)	Johnson (TX)	Roybal-Allard
Carl (Joyce (PA))	(Beyer)	(Connolly)
Calvert (Garcia	Jones (Craig)	Ruiz (Aguilar)
(CA))	Joyce (OH)	Ruppersberger
Cárdenas	(Garbarino)	(Aguilar)
(Gomez)	Kahele (Mrvan)	Rush (Quigley)
Carter (TX)	Katko (Meijer)	Salazar
(Weber (TX))	Khanna	(Cammack)
Case (Correa)	(Connolly)	Sánchez (Costa)
Cawthorn	Kilmer (Kildee)	Schrader
(McClain)	Kim (CA)	(Correa)
Clark (MA)	(Gonzalez	Sessions (Babin)
(Kuster)	(OH))	Sewell (Cicilline)
Cohen (Beyer)	Kinzing	Simpson
Cole (Lucas)	(Meijer)	(Stewart)
Crist (Soto)	Kirkpatrick	Sires (Pallone)
Cuellar (Green	(Pallone)	Speier (Scanlon)
(TX))	Krishnamoorthi	(Kuster)
Curtis (Stewart)	(Brown (MD))	Stansbury
DeFazio (Brown	LaHood	(Kuster)
(MD))	(Wenstrup)	Stefanik
DelBene (Larsen	Lamborn (Bacon)	(Burgess)
(WA))	Lawson (FL)	Strickland
DeGette (Blunt	(Evans)	(Schrier)
Rochester)	Leger Fernandez	Suozi (Kildee)
DeSaulnier	(Gallejo)	Swalwell
(Beyer)	Lesko (Joyce	(Gomez)
Diaz-Balart	(PA))	Titus (Connolly)
(Burgess)	Long (Banks)	Tonko (Pallone)
Doggett (Raskin)	Loudermilk	Torres (NY)
Doyle, Michael	(Fleischmann)	(Cicilline)
F. (Evans)	Lowenthal	Trahan
Escobar (Garcia	(Beyer)	(McGovern)
(TX))	Luetkemeyer	Trone (Brown
Espallat	(McHenry)	(MD))
(Correa)	Maloney,	Underwood
Fletcher	Carolyn B.	(Casten)
(Raskin)	(Wasserman	Van Drew
Frankel, Lois	Schultz)	(Burgess)
(Kuster)	Mast (Waltz)	Vargas (Correa)
Garamendi	McCaul (Burgess)	(Clarke (NY))
(Sherman)	McEachin	Wagner
Gimenez	(Brown (MD))	(McHenry)
(Cammack)	Meng (Kuster)	Walorski (Banks)
Gohmert (Weber	Meuser (Burgess)	Watson Coleman
(TX))	Miller (WV) (Van	(Pallone)
Gonzalez,	Duynne)	Welch
Vicente	Moore (UT)	(McGovern)
(Correa)	(Stewart)	Wilson (FL)
Gosar (Boebert)	Moulton (Beyer)	(Brown (MD))
Gottheimer	Nadler (Pallone)	Wilson (SC)
(Sherrill)	Napolitano	(Dunn)
Granger	(Correa)	Zeldin
(Arrington)	Neal (Beyer)	(Timmons)

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BURGESS. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 220, nays 212, not voting 1, as follows:

[Roll No. 446]

## YEAS—220

Adams	Espallat	McCollum
Aguilar	Evans	McEachin
Allred	Fletcher	McGovern
Auchincloss	Poster	McNerney
Axne	Frankel, Lois	Meeks
Barragán	Gallejo	Meng
Bass	Garamendi	Mfume
Beatty	Garcia (IL)	Moore (WI)
Bera	Garcia (TX)	Morelle
Beyer	Golden	Moulton
Bishop (GA)	Gomez	Mrvan
Blumenauer	Gonzalez,	Murphy (FL)
Blunt Rochester	Vicente	Nadler
Bonamici	Gottheimer	Napolitano
Bordeaux	Green, Al (TX)	Neal
Bowman	Grijalva	Neguse
Boyle, Brendan	Harder (CA)	Newman
F.	Hayes	Norcross
Brown (MD)	Higgins (NY)	O'Halleran
Brown (OH)	Himes	Ocasio-Cortez
Brownley	Horsford	Omar
Bush	Houlahan	Pallone
Bustos	Hoyer	Panetta
Butterfield	Huffman	Pappas
Carbajal	Jackson Lee	Pascrell
Cárdenas	Jacobs (CA)	Payne
Carson	Jayapal	Perlmutter
Carter (LA)	Jeffries	Peters
Carter (TX)	Johnson (GA)	Phillips
Case	Johnson (TX)	Pingree
Casten	Jones	Pocan
Castor (FL)	Kahele	Porter
Castro (TX)	Kaptur	Pressley
Chu	Keating	Price (NC)
Cicilline	Kelly (IL)	Quigley
Clark (MA)	Khanna	Raskin
Clarke (NY)	Kildee	Rice (NY)
Cleaver	Kilmer	Ross
Clyburn	Kim (NJ)	Roybal-Allard
Cohen	Kind	Ruiz
Connolly	Kirkpatrick	Ruppersberger
Cooper	Krishnamoorthi	Rush
Correa	Kuster	Ryan
Costa	Lamb	Sánchez
Courtney	Langevin	Sarbanes
Craig	Larsen (WA)	Scanlon
Crist	Larson (CT)	Schakowsky
Crow	Lawrence	Schiff
Cuellar	Lawson (FL)	Schrader
Davids (KS)	Lee (CA)	Schrier
Davis, Danny K.	Lee (NV)	Scott (VA)
Dean	Leger Fernandez	Scott, David
DeFazio	Levin (CA)	Sewell
DeGette	Levin (MI)	Sherman
DeLauro	Lieu	Sherrill
DelBene	Lofgren	Sires
Delgado	Lowenthal	Slotkin
Demings	Luria	Smith (WA)
DeSaulnier	Lynch	Soto
Deutch	Malinowski	Spanberger
Dingell	Maloney,	Speier
Doggett	Carolyn B.	Stansbury
Doyle, Michael	Maloney, Sean	Stanton
F.	Manning	Stevens
Escobar	Matsui	Strickland
Eshoo	McBath	

Suozi  
Swalwell  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tlaib  
Tonko  
Torres (CA)  
Torres (NY)

Trahan  
Trone  
Underwood  
Vargas  
Veasey  
Vela  
Velázquez  
Wasserman  
Schultz  
Waters

Watson Coleman  
Welch  
Wexton  
Wild  
Williams (GA)  
Wilson (FL)  
Yarmuth

## NAYS—212

Aderholt	Gimenez	Miller-Meeks
Allen	Gohmert	Moolenaar
Amodei	Gonzales, Tony	Mooney
Armstrong	Gonzalez (OH)	Moore (AL)
Arrington	Good (VA)	Moore (UT)
Babin	Gooden (TX)	Mullin
Bacon	Gosar	Murphy (NC)
Baird	Granger	Nehls
Balderson	Graves (LA)	Newhouse
Banks	Graves (MO)	Norman
Barr	Green (TN)	Nunes
Bentz	Greene (GA)	Obenolte
Bergman	Griffith	Owens
Bice (OK)	Grothman	Palazzo
Biggs	Guest	Palmer
Bilirakis	Guthrie	Pence
Bishop (NC)	Hagedorn	Perry
Boebert	Harris	Pfluger
Bost	Harshbarger	Posey
Brady	Hartzler	Reed
Brooks	Hern	Reschenthaler
Buchanan	Herrell	Rice (SC)
Buck	Herrera Beutler	Rodgers (WA)
Bucshon	Hice (GA)	Rogers (AL)
Budd	Hill	Rogers (KY)
Burchett	Hinson	Rose
Burgess	Hollingsworth	Rosendale
Calvert	Hudson	Rouzer
Cammack	Huizenga	Roy
Carey	Issa	Rutherford
Carl	Jackson	Salazar
Carter (GA)	Jacobs (NY)	Scalise
Carter (TX)	Johnson (LA)	Schweikert
Cawthorn	Johnson (OH)	Scott, Austin
Chabot	Johnson (SD)	Sessions
Cheney	Jordan	Simpson
Cline	Joyce (OH)	Smith (MO)
Cloud	Joyce (PA)	Smith (NE)
Clyde	Katko	Smith (NJ)
Cole	Keller	Smucker
Comer	Kelly (MS)	Spartz
Crawford	Kelly (PA)	Stauber
Crenshaw	Kim (CA)	Steel
Curtis	Kinzing	Stefanik
Davidson	Kustoff	Steil
Davis, Rodney	LaHood	Steube
DesJarlais	LaMalfa	Stewart
Diaz-Balart	Lamborn	Taylor
Donalds	Latta	Tenney
Duncan	LaTurner	Thompson (PA)
Dunn	Lesko	Tiffany
Ellzey	Letlow	Timmons
Emmer	Long	Turner
Estes	Loudermilk	Upton
Fallon	Lucas	Valadao
Feenstra	Luetkemeyer	Van Drew
Ferguson	Mace	Van Duyn
Fischbach	Malliotakis	Wagner
Fitzgerald	Mann	Walberg
Fitzpatrick	Massie	Walorski
Fleischmann	Mast	Waltz
Fortenberry	McCarthy	Weber (TX)
Fox	McCaul	Webster (FL)
Franklin, C.	McClain	Wenstrup
Scott	McClintock	Westerman
Fulcher	McHenry	Williams (TX)
Gaetz	McKinley	Wilson (SC)
Gallagher	Meijer	Wittman
Garbarino	Meuser	Womack
Garcia (CA)	Miller (IL)	Young
Gibbs	Miller (WV)	Zeldin

## NOT VOTING—1

Higgins (LA)

□ 2236

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE  
RESOLUTION 8, 117TH CONGRESS

Amodei (Balderson)	Graves (MO)	Neal (Beyer)
Armstrong (Johnson (SD))	(Fleischmann)	Neguse (Perlmutter)
Axne (Wild)	Green (TN)	Nehls (Fallon)
Baird (Bucshon)	(Fleischmann)	Newman (Wild)
Barragán (Beyer)	Grijalva (Stanton)	Nunes (Garcia (CA))
Bass (Cicilline)	Guthrie (Bucshon)	Ocasio-Cortez (Garcia (IL))
Beatty (Blunt Rochester)	Hagedorn (Moolenaar)	O'Halleran (Stanton)
Bera (Aguilar)	Hartzler (DesJarlais)	Owens (Stewart)
Bilirakis (Fleischmann)	Hayes (Wild)	Pascrell (Pallone)
Blumenauer (Beyer)	Hern (Lucas)	Payne (Pallone)
Bonamici (Kuster)	Herrera Beutler (Rice (SC))	Peters (Kildee)
Bowman (Pocan)	Horsford (Carter (LA))	Pingree (Kuster)
Boyle, Brendan F. (Evans)	Huffman (Levin (CA))	Porter (Aguilar)
Brooks (Moore (AL))	Jacobs (CA) (Correa)	Posey (Cammack)
Brownley (Kuster)	Jacobs (NY) (Garbarino)	Price (NC) (Connolly)
Buchanan (Waltz)	Jackson (Van Duyne)	Reed (Rice (SC))
Butterfield (Kildee)	Jayapal (Raskin)	Reschenthaler (Burgess)
Carl (Joyce (PA))	Johnson (TX) (Beyer)	Rodgers (WA) (Joyce (PA))
Calvert (Garcia (CA))	Jones (Craig) Joyce (OH)	Roybal-Allard (Connolly)
Cárdenas (Gomez)	Kahele (Mrvan)	Ruiz (Aguilar)
Carter (TX) (Weber (TX))	Katko (Meijer)	Ruppersberger (Aguilar)
Case (Correa)	Khanna (Connolly)	Rush (Quigley)
Cawthorn (McClain)	Kilmer (Kildee)	Salazar (Cammack)
Clark (MA) (Kuster)	Kim (CA) (Gonzalez (OH))	Sánchez (Costa) Schrader (Correa)
Cohen (Beyer)	Kinzing (Meijer)	Sessions (Babin)
Cole (Lucas)	Kirkpatrick (Pallone)	Sewell (Cicilline)
Crist (Soto)	Krishnamoorthi (Brown (MD))	Simpson (Stewart)
Cuellar (Green (TX))	LaHood (Wenstrup)	Sires (Pallone)
Curtis (Stewart)	Lamborn (Bacon)	Speier (Scanlon)
DeFazio (Brown (MD))	Lawson (FL) (Evans)	Stansbury (Kuster)
DeBene (Larsen (WA))	Leger Fernandez (Gallego)	Stefanik (Burgess)
DeGette (Blunt Rochester)	Lesko (Joyce (PA))	Strickland (Schrier)
DeSaulnier (Beyer)	Long (Banks)	Suozi (Kildee)
Diaz-Balart (Burgess)	Loudermilk (Fleischmann)	Swalwell (Gomez)
Doggett (Raskin)	Lowenthal (Beyer)	Titus (Connolly)
Doyle, Michael F. (Evans)	Luetkemeyer (McHenry)	Tonko (Pallone)
Escobar (Garcia (TX))	Maloney, Carolyn B. (Wasserman Schultz)	Torres (NY) (Cicilline)
Espallat (Correa)	Mast (Waltz)	Trahan (McGovern)
Fletcher (Raskin)	McCaul (Burgess)	Trone (Brown (MD))
Frankel, Lois (Kuster)	McEachin (Brown (MD))	Underwood (Casten)
Garamendi (Sherman)	Meng (Kuster)	Van Drew (Burgess)
Gimenez (Cammack)	Meuser (Burgess)	Vargas (Correa)
Gohmert (Weber (TX))	Miller (WV (Van Duyne)	Velázquez (Clarke (NY))
Gonzalez, Vicente (Correa)	Moore (UT) (Stewart)	Wagner (McHenry)
Gosar (Boebert)	Moulton (Beyer)	Walorski (Banks)
Gottheimer (Sherrill)	Nadler (Pallone)	Watson Coleman (Pallone)
Granger (Arrington)	Napolitano (Correa)	Welch (McGovern)
		Wilson (FL) (Brown (MD))
		Wilson (SC) (Dunn)
		Zeldin

MOMENT OF SILENCE IN REMEM-  
BRANCE OF THE VICTIMS OF  
THE RECENT OUTBREAK OF TOR-  
NADOES IN KENTUCKY AND IN  
THE MIDWEST

(Mr. ROGERS OF Kentucky asked and was given permission to address the House for 1 minute.)

Mr. COMER. Will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentleman from Kentucky, my close friend, whose district was the hardest hit and whose constituents along with all those impacted are in our prayers.

Mr. COMER. Madam Speaker, on behalf of all the citizens of west Kentucky, I thank everyone in America for the outpouring of support, the prayers, the financial support, the people who took off and traveled to west Kentucky to help remove debris and save people who were trapped under roofs and buildings that had collapsed.

The devastation there is unlike anything I have ever seen. And in talking to the media that is all in Mayfield, Kentucky, right now as we speak, it is the worst damage they have ever seen from a tornado.

But the people in west Kentucky are resilient. They have so much pride in their communities. Neighbor has helped neighbor, and that will continue.

I ask, Madam Speaker, for a moment of silence on the House floor to remember the 74 citizens of Kentucky who perished in the terrible series of tornadoes that swept through our State this weekend.

The SPEAKER. The Chair asks all Members in the Chamber, as well as Members and staff throughout the Capitol, to rise for a moment of silence in remembrance of the victims of the recent outbreak of tornadoes in Kentucky and throughout the Midwest.

RECOMMENDING THAT THE HOUSE  
FIND MARK RANDALL MEADOWS  
IN CONTEMPT OF CONGRESS

The SPEAKER. Pursuant to clause 8 of rule XX, the unfinished business is the vote on adoption of the resolution (H. Res. 851) recommending that the House of Representatives find Mark Randall Meadows in contempt of Congress for refusal to comply with a subpoena duly issued by the Select Committee to Investigate the January 6th Attack on the United States Capitol, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 222, nays 208, not voting 3, as follows:

[Roll No. 447]

YEAS—222

Adams	Golden	O'Halleran
Aguilar	Gomez	Ocasio-Cortez
Allred	Gonzalez,	Omar
Auchincloss	Vicente	Pallone
Axne	Gottheimer	Panetta
Barragán	Green, Al (TX)	Pappas
Bass	Grijalva	Pascarell
Beatty	Harder (CA)	Payne
Bera	Hayes	Perlmutter
Beyer	Higgins (NY)	Peters
Bishop (GA)	Himes	Phillips
Blumenauer	Horsford	Pingree
Blunt Rochester	Houlihan	Pocan
Bonamici	Hoyer	Porter
Bourdeaux	Huffman	Pressley
Bowman	Jackson Lee	Price (NC)
Boyle, Brendan F.	Jacobs (CA)	Quigley
Brown (MD)	Jayapal	Raskin
Brown (OH)	Jeffries	Rice (NY)
Brownley	Johnson (GA)	Ross
Bush	Johnson (TX)	Roybal-Allard
Bustos	Jones	Ruiz
Butterfield	Kahele	Ruppersberger
Carbajal	Kaptur	Rush
Cárdenas	Keating	Ryan
Carson	Kelly (IL)	Sánchez
Carter (LA)	Khanna	Sarbanes
Cartwright	Kildee	Scanlon
Case	Kilmer	Schakowsky
Casten	Kim (NJ)	Schiff
Castor (FL)	Kind	Schneider
Castro (TX)	Kinzing	Schrader
Cheney	Kirkpatrick	Schrier
Chu	Krishnamoorthi	Scott (VA)
Cicilline	Kuster	Scott, David
Clark (MA)	Lamb	Sewell
Clarke (NY)	Langevin	Sherman
Cleaver	Larsen (WA)	Sherrill
Clyburn	Larson (CT)	Sires
Cohen	Lawrence	Slotkin
Connolly	Lawson (FL)	Smith (WA)
Cooper	Lee (CA)	Soto
Correa	Lee (NV)	Spanberger
Costa	Leger Fernandez	Speier
Courtney	Levin (CA)	Stansbury
Craig	Levin (MI)	Stanton
Crist	Lieu	Stevens
Crow	Lofgren	Strickland
Cuellar	Lowenthal	Suozi
Davids (KS)	Luria	Swalwell
Davis, Danny K.	Lynch	Takano
Dean	Malinowski	Thompson (CA)
DeFazio	Maloney,	Thompson (MS)
DeGette	Carolyn B.	Titus
DeLauro	Maloney, Sean	Tlaib
DeBene	Manning	Tonko
Delgado	Matsui	Torres (CA)
Demings	McBath	Torres (NY)
DeSaulnier	McCollum	Trahan
Deutch	McEachin	Trone
Dingell	McGovern	Underwood
Doggett	McNerney	Vargas
Doyle, Michael F.	Meeks	Veasey
Escobar	Meng	Vela
Eshoo	Mfume	Velázquez
Espallat	Moore (WI)	Wasserman
Evans	Morelle	Schultz
Fletcher	Moulton	Waters
Foster	Mrvan	Watson Coleman
Frankel, Lois	Murphy (FL)	Welch
Gallego	Nadler	Wexton
Garamendi	Napolitano	Wild
Garcia (IL)	Neal	Williams (GA)
Garcia (TX)	Neguse	Wilson (FL)
	Newman	Yarmuth
	Norcross	

NAYS—208

Aderholt	Bost	Cloud
Allen	Brady	Clyde
Amodei	Brooks	Cole
Armstrong	Buchanan	Comer
Arrington	Buck	Crawford
Babin	Bucshon	Crenshaw
Bacon	Budd	Curtis
Baird	Burchett	Davidson
Balderson	Burgess	Davis, Rodney
Banks	Calvert	DesJarlais
Barr	Cammack	Diaz-Balart
Bentz	Carey	Donalds
Bergman	Carl	Duncan
Bice (OK)	Carter (GA)	Dunn
Biggs	Carter (TX)	Ellzey
Bilirakis	Cawthorn	Emmer
Bishop (NC)	Chabot	Estes
Boebert	Cline	Fallon

Feenstra	Joyce (OH)	Reed	Garamendi	Krishnamoorthi	Reschenthaler	Clarke (NY)	Keating	Pocan
Ferguson	Joyce (PA)	Reschenthaler	(Sherman)	(Brown (MD))	(Burgess)	Cleaver	Kelly (IL)	Porter
Fischbach	Katko	Rice (SC)	Gimenez	LaHood	Rodgers (WA)	Clyburn	Khanna	Pressley
Fitzgerald	Keller	Rodgers (WA)	(Cammack)	(Wenstrup)	(Joyce (PA))	Cohen	Kildee	Price (NC)
Fitzpatrick	Kelly (MS)	Rodgers (KY)	Gohmert (Weber	Lamborn (Bacon)	Roybal-Allard	Connolly	Kilmer	Quigley
Fleischmann	Kelly (PA)	Rose	(TX))	Lawson (FL)	(Connolly)	Cooper	Kim (NJ)	Raskin
Fortenberry	Kim (CA)	Rosendale	Gonzalez,	(Evans)	Ruiz (Aguilar)	Correa	Kind	Ross
Fox	Kustoff	Rouzer	Vicente	Leger Fernandez	Ruppersberger	Costa	Kirkpatrick	Roybal-Allard
Franklin, C.	LaHood	Roy	(Correa)	(Gallego)	(Aguilar)	Courtney	Ruiz	Ruppersberger
Scott	Lamborn	Rutherford	Gosar (Boebert)	Lesko (Joyce	Rush (Quigley)	Craig	Krusher	Rush
Fulcher	Latta	Salazar	Gottheimer	(PA))	Salazar	Crist	Lamb	Ryan
Gaetz	LaTurner	Scalise	(Sherrill)	Long (Banks)	(Cammack)	Crow	Langevin	Sánchez
Gallagher	Lesko	Schweikert	Granger	Loudermilk	Sánchez (Costa)	Cuellar	Larsen (WA)	Sanborn
Garbarino	Letlow	Scott, Austin	(Arrington)	(Fleischmann)	Schrader	Davids (KS)	Larson (CT)	Sarbanes
Garcia (CA)	Long	Sessions	Graves (MO)	Lowenthal	(Correa)	Davis, Danny K.	Lawrence	Scanlon
Gibbs	Loudermilk	Simpson	(Fleischmann)	(Beyer)	Sessions (Babin)	Dean	Lawson (FL)	Schakowsky
Gimenez	Lucas	Smith (MO)	Green (TN)	Luetkemeyer	Sewell (Cicilline)	DeFazio	Lee (CA)	Schiff
Gohmert	Luetkemeyer	Smith (NE)	(Fleischmann)	(McHenry)	Simpson	DeGette	Lee (NV)	Schneider
Gonzales, Tony	Mace	Smith (NJ)	Grijalva	Maloney,	(Stewart)	DeLauro	Leger Fernandez	Schrader
Gonzalez (OH)	Malliotakis	Smucker	(Stanton)	Carolyn B.	Sires (Pallone)	DelBene	Levin (CA)	Schrier
Good (VA)	Mann	Spartz	Guthrie	(Wasserman	Speier (Scanlon)	Delgado	Levin (MI)	Scott (VA)
Gooden (TX)	Massie	Stauber	(Buchson)	Schultz)	Stansbury	Demings	Lieu	Scott, David
Gosar	Mast	Steel	Hagedorn	Mast (Waltz)	(Kuster)	DeSaulnier	Lofgren	Sewell
Granger	McCarthy	Stefanik	(Moolenaar)	McCauley (Burgess)	Stefanik	Deutch	Lowenthal	Sherman
Graves (LA)	McCauley	Steil	Hartzler	McEachin	(Burgess)	Dingell	Luria	Sherrill
Graves (MO)	McClain	Steube	(DesJarlais)	(Brown (MD))	Strickland	Doggett	Lynch	Sires
Green (TN)	McClintock	Stewart	Hayes (Wild)	Meng (Kuster)	(Schrier)	Doyle, Michael	Malinowski	Slotkin
Greene (GA)	McHenry	Taylor	Hern (Lucas)	Meuser (Burgess)	Miller (WV) (Van	F.	Maloney,	Smith (WA)
Griffith	McKinley	Tenney	Herrera Beutler	Miller (WV) (Van	Duyn)	Escobar	Carolyn B.	Soto
Grothman	Meijer	Thompson (PA)	(Rice (SC))	Duyn)	Moore (UT)	Eshoo	Maloney, Sean	Spanberger
Guest	Meuser	Tiffany	Horsford (Carter	(Stewart)	(Stewart)	Espallat	Manning	Speier
Guthrie	Miller (IL)	Timmons	(LA))	Moulton (Beyer)	Titus (Connolly)	Evans	Matsui	Stansbury
Hagedorn	Miller (WV)	Turner	Huffman (Levin	Nadler (Pallone)	Tonko (Pallone)	Fletcher	McBath	Stanton
Harris	Miller-Meeks	Upton	(CA))	Napolitano	Torres (NY)	Foster	McCollum	Stevens
Harshbarger	Moolenaar	Valadao	Jacobs (CA)	(Correa)	(Cicilline)	Frankel, Lois	McGovern	Strickland
Hartzler	Mooney	Van Drew	(Correa)	Neal (Beyer)	Trahan	Gallego	McNerney	Suozi
Hern	Moore (AL)	Van Duyn	Jacobs (NY)	Neguse	(McGovern)	Garamendi	Meeks	Swalwell
Herrell	Moore (UT)	Wagner	(Garbarino)	(Perlmutter)	Trone (Brown	Garcia (IL)	Meng	Takano
Herrera Beutler	Mullin	Walberg	Jackson (Van	Nehls (Fallon)	(MD))	Garcia (TX)	Golden	Thompson (CA)
Hice (GA)	Murphy (NC)	Walorski	Duyn)	Nehls (Fallon)	Underwood	Gomez	Casten	Thompson (MS)
Hill	Nehls	Waltz	Jayapal (Raskin)	Nunes (Garcia	Van Drew	Morelle	Moore (WI)	Titus
Hinon	Newhouse	Weber (TX)	Johnson (TX)	(CA))	(Burgess)	Tlaib	Moulton	Tonko
Hollingsworth	Norman	Webster (FL)	(Beyer)	Ocasio-Cortez	Vargas (Correa)	Mrvan	Gottheimer	Torres (CA)
Hudson	Nunes	Wenstrup	Jones (Craig)	(Garcia (IL))	Velázquez	Green, Al (TX)	Green, Al (TX)	Torres (NY)
Huizenga	Obernolte	Westerman	Joyce (OH)	O'Halleran	(Clarke (NY))	Grijalva	Nadler	Torres (NY)
Issa	Owens	Williams (TX)	(Garbarino)	(Stanton)	Wagner	Harder (CA)	Napolitano	Trahan
Jackson	Palazzo	Wilson (SC)	Kahele (Mrvan)	Owens (Stewart)	(McHenry)	Hayes	Neal	Trone
Jacobs (NY)	Palmer	Wittman	Katko (Meijer)	Pascarella	Walorski (Banks)	Higgins (NY)	Neguse	Underwood
Johnson (LA)	Pence	Womack	Khanna	(Pallone)	Watson Coleman	Himes	Newman	Vargas
Johnson (OH)	Perry	Young	(Connolly)	Payne (Pallone)	(Pallone)	Horsford	Norcross	Veasey
Johnson (SD)	Pfuger	Zeldin	Kilmer (Kildee)	Peters (Kildee)	Welch	Houlihan	O'Halleran	Vela
Jordan	Posey		Kim (CA)	Porter (Aguilar)	(McGovern)	Hoyer	Ocasio-Cortez	Velázquez
			(Gonzalez	Posay	Wilson (FL)	Huffman	Omar	Wasserman
			(OH))	(Cammack)	(Brown (MD))	Jackson Lee	Pallone	Schultz
			Kinzing	Price (NC)	Wilson (SC)	Jacobs (CA)	Panetta	Waters
			(Meijer)	(Connolly)	(Dunn)	Jayapal	Pappas	Watson Coleman
			Kirkpatrick	Reed (Rice (SC))	Zeldin	Jeffries	Pascarella	Welch
			(Pallone)		(Timmons)	Johnson (GA)	Payne	Wexton
						Johnson (TX)	Pelosi	Wild
						Jones	Perlmutter	Williams (GA)
						Kahele	Peters	Wilson (FL)
						Kaptur	Phillips	Yarmuth
							Pingree	

## NOT VOTING—3

Higgins (LA) LaMalfa Rogers (AL)

□ 2303

Mr. GALLEGO changed his vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. LAMALFA. Madam Speaker, I was in a conference with a constituent and inadvertently missed the vote. Had I been present, I would have voted “nay” on rollcall No. 447.

## MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Amodei	Brownley	Curtis (Stewart)
(Balderson)	(Kuster)	DeFazio (Brown
Armstrong	Buchanan	(MD))
(Johnson (SD))	(Waltz)	DelBene (Larsen
Axne (Wild)	Butterfield	(WA))
Baird (Buchson)	(Kildee)	DeGette (Blunt
Barragán (Beyer)	Carl (Joyce (PA))	Rochester)
Bass (Cicilline)	Calvert (Garcia	(CA))
Beatty (Blunt	Cárdenas	DeSaulnier
Rochester)	(Gomez)	(Beyer)
Bera (Aguilar)	Carter (TX)	Diaz-Balart
Bilirakis	(Weber (TX))	(Burgess)
(Fleischmann)	Case (Correa)	Doggett (Raskin)
Blumenauer	Cawthorn	Doyle, Michael
(Beyer)	(McClain)	F. (Evans)
Bonomici	Clark (MA)	Escobar (Garcia
(Kuster)	(Kuster)	(TX))
Bowman (Pocan)	Cohen (Beyer)	Espallat
Boyle, Brendan	Cole (Lucas)	(Correa)
F. (Evans)	Crist (Soto)	Fletcher
Brooks (Moore	Cuellar (Green	(Raskin)
(AL))	(TX))	Frankel, Lois
		(Kuster)

## COMBATING INTERNATIONAL ISLAMOPHOBIA ACT

The SPEAKER pro tempore (Ms. JACKSON LEE). Pursuant to clause 8 of rule XX, the unfinished business is the vote on the passage of the bill (H.R. 5665) to establish in the Department of State the Office to Monitor and Combat Islamophobia, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 219, nays 212, not voting 3, as follows:

[Roll No. 448]

YEAS—219

Blunt Rochester	Carbajal
Bonomici	Cárdenas
Bourdeaux	Carson
Bowman	Carter (LA)
Boyle, Brendan	Cartwright
F.	Case
Brown (MD)	Casten
Brown (OH)	Castor (FL)
Brownley	Castro (TX)
Bera	Chu
Beyer	Bustos
Bishop (GA)	Cicilline
Blumenauer	Clark (MA)

Aderholt	Chabot	Garbarino
Allen	Cheney	Garcia (CA)
Amodei	Cline	Gibbs
Armstrong	Cloud	Gimenez
Arrington	Clyde	Gohmert
Babin	Cole	Gonzales, Tony
Bacon	Comer	Gonzalez (OH)
Baird	Crawford	Good (VA)
Balderson	Crenshaw	Gooden (TX)
Banks	Curtis	Gosar
Barr	Davidson	Granger
Bentz	Davis, Rodney	Graves (LA)
Bergman	DesJarlais	Graves (MO)
Bice (OK)	Diaz-Balart	Green (TN)
Biggs	Donalds	Greene (GA)
Bilirakis	Duncan	Griffith
Bishop (NC)	Dunn	Grothman
Boebert	Ellzey	Guest
Bost	Emmer	Guthrie
Brady	Estes	Hagedorn
Brooks	Fallon	Harris
Buchanan	Feenstra	Harshbarger
Buck	Ferguson	Hartzler
Bucshon	Fischbach	Hern
Budd	Fitzgerald	Herrell
Burchett	Fitzpatrick	Herrera Beutler
Burgess	Fleischmann	Hice (GA)
Calvert	Fortenberry	Hill
Cammack	Fox	Hinson
Carey	Franklin, C.	Hollingsworth
Carl	Scott	Hudson
Carter (GA)	Fulcher	Huizenga
Carter (TX)	Gaetz	Issa
Cawthorn	Gallagher	Jackson

## NAYS—212



Jacobs (NY)	Meuser	Sessions	Lowenthal	Pascrell	Strickland
Johnson (LA)	Miller (IL)	Simpson	(Beyer)	(Pallone)	(Schrier)
Johnson (OH)	Miller (WV)	Smith (MO)	Luetkemeyer	Payne (Pallone)	Suozi (Kildee)
Johnson (SD)	Miller-Meeks	Smith (NE)	(McHenry)	Peters (Kildee)	Swalwell
Jordan	Moolenaar	Smith (NJ)	Maloney,	Pingree (Kuster)	(Gomez)
Joyce (OH)	Mooney	Smucker	Carolyn B.	Porter (Aguilar)	Titus (Connolly)
Joyce (PA)	Moore (AL)	Spartz	(Wasserman	Posey	Tonko (Pallone)
Katko	Moore (UT)	Stauber	Schultz)	(Cammack)	Torres (NY)
Keller	Mullin	Steel	Mast (Waltz)	Price (NC)	(Cicilline)
Kelly (MS)	Murphy (NC)	Stefanik	McCaul (Burgess)	(Connolly)	Trahan
Kelly (PA)	Nehls	Steil	Reed (Rice (SC))	Reed (Rice (SC))	(McGovern)
Kim (CA)	Newhouse	Steube	Reschenthaler	(Burgess)	Trone (Brown
Kinzinger	Norman	Stewart	(Brown (MD))	(MD))	(MD))
Kustoff	Nunes	Taylor	Meng (Kuster)	Rodgers (WA)	Underwood
LaHood	Obernolte	Tenney	Meuser (Burgess)	(Joyce (PA))	(Casten)
LaMalfa	Owens	Thompson (PA)	Miller (WV) (Van	Roybal-Allard	Van Drew
Lamborn	Palazzo	Tiffany	Duynne)	(Connolly)	(Burgess)
Latta	Palmer	Timmons	Moore (UT)	Ruiz (Aguilar)	Vargas (Correa)
LaTurner	Pence	Turner	(Stewart)	Ruppersberger	Velázquez
Lesko	Perry	Upton	Moulton (Beyer)	(Aguilar)	(Clarke (NY))
Letlow	Pfleger	Valadao	Nadler (Pallone)	Rush (Quigley)	Walorski (Banks)
Long	Posey	Van Drew	Napolitano	Salazar	Watson Coleman
Loudermilk	Reed	Van Duynne	(Correa)	(Cammack)	(Pallone)
Lucas	Reschenthaler	Wagner	Neal (Beyer)	Sánchez (Costa)	Wagner
Luetkemeyer	Rice (SC)	Walberg	Neguse	Schrader	(McHenry)
Mace	Rodgers (WA)	Walorski	(Perlmutter)	(Correa)	Walorski (Banks)
Malliotakis	Rogers (AL)	Waltz	Nehls (Fallon)	Sewell (Cicilline)	Watson Coleman
Mann	Rogers (KY)	Weber (TX)	Newman (Wild)	Simpson	(Pallone)
Massie	Rose	Webster (FL)	Nunes (Garcia	(Stewart)	Welch
Mast	Rosendale	Wenstrup	(CA))	Sires (Pallone)	(McGovern)
McCarthy	Rouzer	Westerman	Ocasio-Cortez	Speier (Scanlon)	Wilson (FL)
McCaul	Roy	Williams (TX)	(Garcia (IL))	Stansbury	(Brown (MD))
McClain	Rutherford	Wilson (SC)	O'Halleran	(Kuster)	Wilson (SC)
McClintock	Salazar	Wittman	(Stanton)	Stefanik	(Dunn)
McHenry	Scalise	Womack	Owens (Stewart)	(Burgess)	Zeldin
McKinley	Schweikert	Young			(Timmons)
Meijer	Scott, Austin	Zeldin			

## NOT VOTING—3

Higgins (LA) Murphy (FL) Rice (NY)

□ 2328

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Amodei	DeFazio (Brown	Hayes (Wild)
(Balderson)	(MD))	Hern (Lucas)
Armstrong	DelBene (Larsen	Herrera Beutler
(Johnson (SD))	(WA))	(Rice (SC))
Axne (Wild)	DeGette (Blunt	Horsford (Carter
Baird (Bucshon)	Rochester)	(LA))
Barragan (Beyer)	DeSaulnier	Huffman (Levin
Bass (Cicilline)	(Beyer)	(CA))
Beatty (Blunt	Diaz-Balart	Jacobs (CA)
Rochester)	(Burgess)	(Correa)
Bera (Aguilar)	Doggett (Raskin)	Jacobs (NY)
Billirakis	Doyle, Michael	(Garbarino)
(Fleischmann)	F. (Evans)	Jackson (Van
Blumenauer	Escobar (Garcia	Duynne)
(Beyer)	(TX))	Jayapal (Raskin)
Bonamici	Espallat	Johnson (TX)
(Kuster)	(Correa)	(Beyer)
Bowman (Pocan)	Fletcher	Jones (Craig)
Boyle, Brendan	(Raskin)	Joyce (OH)
F. (Evans)	Frankel, Lois	(Garbarino)
Brooks (Moore	(Kuster)	Kahele (Mrvan)
(AL))	Garamendi	Katko (Meijer)
Brownley	(Sherman)	Khanna
(Kuster)	Gimenez	(Connolly)
Buchanan	(Cammack)	Kilmer (Kildee)
(Waltz)	Gohmert (Weber	Kim (CA)
Butterfield	(TX))	(Gonzalez
(Kildee)	Gonzalez,	(OH))
Carl (Joyce (PA))	Vicente	Kinzinger
Calvert (Garcia	(Correa)	(Meijer)
(CA))	Gosar (Boebert)	Kirkpatrick
Cárdenas	Gottheimer	(Pallone)
(Gomez)	(Sherrill)	Krishnamoorthi
Carter (TX)	Granger	(Brown (MD))
(Weber (TX))	(Arrington)	LaHood
Case (Correa)	Graves (MO)	(Wenstrup)
Cawthorn	(Fleischmann)	Lamborn (Bacon)
(McClain)	Green (TN)	Lawson (FL)
Clark (MA)	Grijalva	(Evans)
(Kuster)	(Stanton)	Leger Fernandez
Cohen (Beyer)	Guthrie	(Gallego)
Cole (Lucas)	(Bucshon)	Lesko (Joyce
Crist (Soto)	Hagedorn	(PA))
Cuellar (Green	(Moolenaar)	Long (Banks)
(TX))	Hartzler	Loudermilk
Curtis (Stewart)	(DesJarlais)	(Fleischmann)

## JOINT RESOLUTION RELATING TO INCREASING THE DEBT LIMIT

Mr. BEYER. Madam Speaker, pursuant to House Resolution 852, I call up the joint resolution (S.J. Res. 33) joint resolution relating to increasing the debt limit, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 852, the joint resolution is considered read.

The text of the joint resolution is as follows:

## S.J. RES. 33

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* The the limitation under section 3101(b) of title 31, United States Code, as most recently increased by Public Law 117-50 (31 U.S.C. 3101 note), is increased by \$2,500,000,000,000.

The SPEAKER pro tempore. The joint resolution shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means or their respective designees.

The gentleman from Virginia (Mr. BEYER) and the gentleman from Texas (Mr. BRADY) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

## GENERAL LEAVE

Mr. BEYER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on Senate Joint Resolution 33.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BEYER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am pleased that today the House will take action to

protect our Nation's full faith and credit. S.J. Res. 33 will ensure that the United States continues to be a nation that pays its bills, period.

Without today's action, for the first time in our history, the United States Government could default on its debt obligations because of the debt limit, and this would be ruinous for U.S. workers and their families.

It would trigger a financial crisis on par with that of 2008, resulting in catastrophic economic damage with millions of jobs lost, businesses shuttered, and a banking system in chaos.

At a time when our recovery is strong but uncertain, we risk the loss of six million jobs, an unemployment rate of nearly 9 percent, the elimination of \$15 trillion in household wealth, and a decline in real GDP of 4 percent.

Nonpartisan Moody's Analytics economist Mark Zandi predicted that following a default, a global market panic on the scale of the 2008 financial crisis would ensue.

J.P. Morgan Chase CEO Jamie Dimon predicted that such a default could "cause an immediate, literally cascading catastrophe of unbelievable proportions and damage America for 100 years."

If the United States were to default, it would likely prompt a lasting downgrade of the country's credit that would drastically increase costs for mortgages, car loans, student loans, credit card bills, and other borrowing. This would threaten the livelihoods of the very people we are here to represent.

I want to be very clear. Raising the debt ceiling is not about incurring new debts. We are simply ensuring the Federal Government keeps its existing commitments, that it pays the bills we have already racked up.

By raising the debt limit, we are meeting our existing obligations to members of the military, veterans, and recipients of Medicare, Medicaid, and Social Security.

In fact, 97 percent of the debts currently necessitating an increase were accrued prior to the Biden administration, many of which were passed with bipartisan support. This includes emergency pandemic relief measures, increased defense spending, and continued government operations.

Madam Speaker, the time to act is now. Treasury Secretary Yellen has issued a dire warning: Without congressional action by tomorrow, the government will be left with insufficient funds to finance government operations.

Over 50 million seniors could stop receiving Social Security checks for a time. Troops would go unpaid. Millions of families who rely on the monthly child tax credit could see delays. Our current economic recovery would reverse into recession, with billions of dollars of growth and millions of jobs lost.

As the 2011 debt ceiling crisis shows, even narrowly avoiding a default costs



the country billions of dollars. While raising the debt ceiling does not, on its own, create new debts for the United States Government, a failure to do so certainly would.

Congress has addressed the debt limit 79 times since 1960 to prevent default; 30 times with a Democrat in the White House, 49 times under a Republican President. In fact, under President Trump, Congress took action to address the debt limit three times and did so without drama. Today's action should be no different.

I urge my colleagues to support this measure to lift the debt ceiling, continue paying our bills, and ensure our continued economic recovery.

Madam Speaker, I reserve the balance of my time.

Mr. BRADY. Madam Speaker, I yield myself such time as I may consume.

In 2018, Democrat Leader NANCY PELOSI, Leader HOYER, Whip CLYBURN, and 116 other House Democrats voted to default on the debt, shut down the government, and refuse disaster relief to devastated communities across America like mine.

One even said, Republicans control the House, the Senate, and the White House; responsibility to govern rests squarely on their shoulders.

Well, right now the Democrats control the House, the Senate, and the White House. Responsibility rests squarely on their shoulders.

Make no mistake, Democrats have known this day has been coming for 2 years and did absolutely nothing. They passed no budget, passed no appropriations bills, and they didn't spend a moment in bipartisan outreach to address the debt ceiling.

I agree, Congress should not play political games with the debt ceiling, but neither should it ignore the future financial crisis at risk of accelerating if President Biden and congressional Democrats pass their nearly \$5 trillion socialist welfare plan.

Despite its desperate bid to shift blame for this debt ceiling crisis Democrats themselves created, increasing America's national debt is necessary to make room in the so-called Build Back Better bill for trillions of wasteful spending and special interest handouts for the wealthy and big business.

Make no mistake, the debt ceiling is not merely about paying for past spending, it is about making room for new wasteful spending, trillions that will pour more fuel on the inflation fire that marks Joe Biden's Presidency, the highest rate in decades, that has robbed families of their real wage gains from the past 3 years.

Although the President and Democrats in Congress continue to deny that inflation is real, this is now a crisis for families, and especially seniors on fixed incomes. Their claims that this costs zero has been debunked by the independent Congressional Budget Office and multiple organizations, and fact-checked as false and misleading by The Washington Post.

And Democrats' insistence that future permanence will be paid for begs the question they refuse to answer. How? Everyone knows there are only two ways to raise trillions of dollars more: Tax middle-class families or rob from entitlement programs like Social Security, Medicare, Medicaid.

The truth is, the Democrats need this debt ceiling to fund special interests, give tax subsidies for luxury electric vehicles, and tax windfalls to millionaires, while the middle class gets nothing, or even a tax hike.

□ 2340

They need this debt ceiling to give tax breaks to trial lawyers, local media corporations, and pay 1.5 million workers more to stay home than go back to work.

Democrats need a quarter of a trillion dollars to lift the SALT cap so that two out of three millionaires will get a huge tax break.

Meanwhile, for working families, inflation grows worse. Main Street businesses continue to struggle hard to find workers, and many parents will pay over \$1,000 a month more for childcare under Build Back Better.

These are President Biden's priorities. Congressional Democrats, these are their priorities. The question to America is, are these your priorities? The answer is no, which is why so many Americans overwhelmingly question the competence of President Biden and Democrats to lead this country.

I urge a strong "no" vote on this bill, and I reserve the balance of my time.

Mr. BEYER. Madam Speaker, I reserve the balance of my time.

Mr. BRADY. Madam Speaker, I yield 1 minute to the gentleman from Ohio (Mr. DAVIDSON).

Mr. DAVIDSON. Madam Speaker, it is not compassionate to bankrupt America. That is exactly what this plan does. It equips this country with more debt to pay for the past debt with no plan to pay for the future debt. The only thing is more debt. It is a debt bomb, and it is something that this body has an obligation to stop.

This country is on auto pilot for a crash site, and the only plan is to keep riding on auto pilot right into the crash site. The whole point of the debt ceiling is to force this body to do its duty and to come up with a plan to not default.

The only question isn't whether we default tomorrow, which we shouldn't, of course we should pay our debts, but we shouldn't default in the future either. And unless we come up with a different course of action, this is going to ride all the way to the crash site.

I will oppose this, and I encourage all of my colleagues to do the same, and we should continue to oppose it until there is a plan to avert the crisis in the crash that is coming.

Don't bankrupt America.

Mr. BEYER. Madam Speaker, I reserve the balance of my time.

Mr. BRADY. Madam Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. PALMER).

Mr. PALMER. Madam Speaker, I thank the gentleman from Texas for his leadership. A lot has been said about the Congressional Budget Office scoring the Build Back Better bill, that it increases the deficit by \$3 trillion, putting truth to the lie that the bill is paid for. It is not.

What the American people need to know is that there is another CBO report that was released earlier this fall that should be front and center of this debate over raising the debt limit.

Here is what that report says about the direction America is heading. According to the CBO, by 2051, America's debt-to-GDP ratio will be over 200 percent. In other words, our debt will be twice the size of our entire economy.

That CBO report said a growing debt burden would increase the risk of a fiscal crisis and higher inflation, as well as undermine confidence in the U.S. dollar, making it more costly to finance public and private activity in international markets.

The CBO reported that, with growing debt and rising interest rates, net spending for interest more than triples relative to the size of the economy.

A New York Times article reported that the CBO warned that such high debt levels will lift borrowing costs, slow economic output, and raise the risk of a fiscal crisis.

The Committee for a Responsible Budget warned that the Nation's long-term output was an air raid siren that can be heard for miles. It said the mounting debt will make it harder to address income inequality and to make needed infrastructure improvements. Apparently, my Democratic colleagues are deaf to that siren.

Now my colleagues want to raise the debt limit by another \$2.5 trillion so they can continue down the path of reckless spending with no regard for the consequences for our Nation's future. That is the wrong path. That is the dangerous path. And that is why every Member should heed the warnings and vote "no."

Mr. BEYER. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Speaker of the House of Representatives.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding me the time, and more importantly, for bringing this important legislation to the floor. Now we say that with many bills, and let me tell you, Madam Speaker, what this means to America's families.

America's families, as they gather around the kitchen table and figure out their priorities and how they are going to pay their bills is what keeps them up at night.

We must lift the debt ceiling to cover the expenses already incurred. It is important to note over 95 percent of it occurred during the Trump administration, under 4 percent of it during the Biden administration.

But sadly, Republicans have not only abandoned the responsibility they have

in all of this, this is what it means to you.

For families, a default could mean millions of American jobs eliminated, trillions in household wealth erased, reducing the value of the dollar and an immediate reversal of our strong economic recovery—six million jobs already under Joe Biden—and having a terrible impact globally for decades to come.

Just the discussion of not lifting the debt ceiling a number of years ago when the Republicans in Congress were refusing to do so lowered the credit rating of the United States of America.

Our Constitution says and it makes clear the validity of the public debt of the United States authorized by law shall not be questioned.

I point out this other fact. If you have a car loan, if you have a mortgage, if you have a student loan, if you have credit card bills, any other borrowing, your interest rates will go up unless we lift the debt ceiling. So this has a direct impact on the pockets of the American people on the prospects for their success.

Let's be clear, Republicans want less money in the pockets of the American people for whatever reason. I don't know what the middle class and working families ever did to them for them to want to exact this toll on our economy, on our standing in the world and what it means globally, but very importantly when you are discussing your finances over the kitchen table, understand that if your interest rates go up it is because the refusal of the Republicans to lift the debt ceiling.

I close by saying the full faith and credit of the United States should never be questioned. The health of our economy should never be threatened. The financial security of our families must never be gambled.

I urge a strong "yes" vote for this legislation so that we strengthen our economic recovery, spare families the pain of a catastrophic default and uphold our duty in the Constitution of the United States to uphold the full faith and credit of the United States of America.

Madam Speaker, I urge an "aye" vote, and I thank Mr. BEYER for his leadership on this issue and Mr. RICHIE NEAL, the chair of the committee, as well.

Mr. BRADY. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, sort of a gentle reminder, 2018 Democratic leader NANCY PELOSI, Leader HOYER, Whip CLYBURN, and 116 other Democrats voted to default on America's debt to shut down our government at the same time and refused disaster relief to devastated communities across America, including in Texas. And as they said, Republicans controlled the House, the Senate, and the White House, and the responsibility to govern rests squarely on their shoulders.

And another gentle reminder to the American public, our Democratic

friends have known this day has been coming for 2 years. This is a crisis that they created. Didn't bother to pass a budget, didn't do their appropriations bill, no bipartisan outreach. Waited again and again for this cliff and created this crisis. It has been frustrating to watch this go on.

And, too, I know middle-class Americans, one out of every three, will see a tax hike in the Build Back Better bill, but two out of three millionaires get a huge tax cut. A quarter of a trillion dollars of this debt ceiling, a quarter of a trillion dollars of this increase will go to millionaires and billionaires and other wealthy Americans.

□ 2350

Not to mention the heat your home tax on middle-class families, the toddler tax on middle-class families, the made in America tax on our Main Street businesses. What is now clear is that President Biden is a pay-cut President. Even as most Americans work hard to get ahead in their careers and their workplaces, they are now falling behind every month of this Presidency.

They have lost 3 years' worth of real wage growth, went backward in getting ahead. And just since spring, Americans are losing an average of \$377 a month in real purchasing power.

Who is the party for the middle class and working families? Not Democrats, who are robbing—inflation—from their paychecks. Adding another \$5 trillion to the inflation fire will only cause prices to continue to grow faster than paychecks.

The middle class is on the hook for Democrats' handouts to the highest earners, including their government checks to the top 1 percent and the biggest corporations, lavish subsidies for luxury electric vehicles, and tax cuts for the wealthiest.

Over half of families with two kids who pay for childcare will be forced to pay a \$27,000 toddler tax each year under the Democrats' Washington takeover of childcare. All this hurts American workers and their families, the poor, and the seniors.

We ought to stop this economic strain. We ought to stop this economic suppression. We ought to stop this attack on middle-class and working families. We ought to make progrowth tax reform permanent. It lifted millions of Americans out of poverty, brought jobs back from overseas, and, for the first time, started to shrink income inequality.

Madam Speaker, you may remember, in 2019, families in America, their household income grew more in 1 year under President Trump and the Republicans than in all 8 years of President Obama and Biden combined.

We believe there is a smarter way to help American working families, but I know this: Democrats are wrong to fight for \$5 trillion of social spending that will send jobs overseas, limit choice in childcare, worsen healthcare,

and lower paychecks by flaming inflation longer and making the worker shortage worse.

Madam Speaker, we can't afford this pay-cut Presidency. I once again urge my colleagues to vote "no" on this measure, and I yield back the balance of my time.

Mr. BEYER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, very briefly, it seems my Republican friends would like to make this debate about the bipartisan infrastructure bill and about the Build Back Better bill despite the fact that these were wildly popular with the American people. Listening to my Republican friends, it sounds like we are in a desperate country instead of one that has created 6 million jobs so far this year, an all-time record that has 6 percent GDP growth expected this year. Our unemployment rate is 4.2 percent. It has recovered faster than any time in American history.

We are about to fund daycare for American working families, bring 3- and 4-year-olds to school. The child tax credit will be extended.

Our infrastructure bills are going to build more roads and highways, electric grid, broadband, fix the lead pipes.

All this is in two bills that are paid for—that are paid for—every penny. When people suggest that the benefits may be extended, we have also promised to pay for them if that, in fact, happens.

You complain that we haven't done the appropriations bill. This House did the appropriations bill. But in the Senate, which requires 60 votes, the appropriations bill didn't happen over there.

Madam Speaker, this is not about two very good bills, two paid-for bills that don't increase the deficit, that don't add to inflation. It is about the simple fact that we need to pay our bills.

It is a simple bill. This vote should be simple.

During the Trump administration, the Republicans added \$7.9 trillion—50 percent—to the national debt. Their Tax Cuts and Jobs Act alone added \$1.9 trillion. We have to pay for that. That is what we are paying for tonight.

Madam Speaker, I urge my colleagues, Democrat and Republican, to vote for this good Senate joint resolution to lift the debt ceiling.

Madam Speaker, I yield back the balance of my time.

Mr. OBERNOLTE. Madam Speaker, I rise today to oppose this \$2.5 trillion debt limit increase which this Congress is voting on without any discussion of how this debate will ever be repaid.

Over the past year, Congress' record levels of spending has sparked record-breaking inflation. Just last week, our nation hit its highest inflation rate in 40 years with current annual inflation for the twelve months ending in November at 6.8%. As a consequence, real average hourly earnings decreased by half a percent in November. Surging costs for food, energy, housing, and other items have left the average American family reeling. In my California district, the average price of a tank of

gasoline has increased over \$20 since January, while the price of natural gas is up more than 25 percent.

Congress is not only spending at a level that is well beyond our self-imposed limits, but also beyond what our economy can safely handle, and Madam Speaker, instead of reducing our spending and finding places to save as any American family would, this institution is working to push through another multi-trillion-dollar social spending package that would drive our debt and our inflation further into crisis.

Madam Speaker, this unconscionable spending is the epitome of irresponsible governance. We must take measures to end this reckless spending and put our financial house in order. To that end I have introduced two bills that the House might better spend its time considering in the coming weeks instead of continuing debate on the reckless social spending bill.

My Constitutional Amendment to balance the budget would amend the U.S. Constitution to ensure total federal spending for a fiscal year does not exceed the total amount of federal revenue. It includes off-ramps that encourage bipartisanship in times of crisis and would end the seemingly-endless cycle of budget deficits.

Likewise, my Finding Federal Savings Committee Resolution would help to cut back on government waste by creating a bipartisan committee in this body to identify underperforming and nonessential federal programs and recommend their elimination or modification. Neither of these ideas are partisan, nor are they radical. They simply take steps to solve a problem that this body has continued to kick down the road for future generations to repay.

Madam Speaker, this Congress must do better. I call on my colleagues to reverse course, to stop this reckless spending, and to vote no on raising the debt ceiling without a plan to repay our debt.

Ms. JACKSON LEE. Madam Speaker, as a senior member of the Committees on the Judiciary, on Homeland Security, and on the Budget, I rise in support of S.J. Res. 33—Joint resolution relating to increasing the debt limit, a measure raising the national debt limit by \$2.5 trillion, which is imperative to avoid a wasteful, irresponsible, reckless threatening of the nation's singular indispensable asset: the full faith and credit of the United States.

Madam Speaker, preserving the full faith and credit of the United States by raising to the debt limit to ensure that America pays the bills for past expenditures when they come due is not a partisan exercise but an act of patriotism, a recognition and embrace of the solemn obligation to preserve the unrivaled advantages that flow from the ability provided in the Article I, Section 8, clause 2 of the Constitution to "borrow money on the credit of the United States."

Long ago, in 1789, Alexander Hamilton, the nation's first and greatest Treasury Secretary, understood that the path to American prosperity and greatness lay in its creditworthiness which provided the affordable access to capital needed to fund internal improvements and economic growth.

It is because of the existence and wise use of the Borrowing Power that the nation was able to expand its reaches, resources, and riches by financing the Louisiana Purchase,

the purchase of Alaska from Russia, to fund the investments to end the Great Depression, to finance the mobilization of resources needed in World War II to defeat fascism and save freedom in the nation and the world, to revive the economy after the catastrophic Great Recession of 2008, and most recently, to protect the public health and safety and restore the economy during the COVID-19 pandemic.

This is why the ability to borrow money on the credit of the United States to finance its growth and protect its people and interests is essential to the national security and led Hamilton to proclaim that "the proper funding of the present debt, will render it a national blessing."

But to maintain this blessing, or to "render public credit immortal," Hamilton understood that it was necessary that: "the creation of debt should always be accompanied with the means of extinguishment."

In other words, to retain and enjoy the prosperity that flows from good credit, it is necessary for a nation to pay its bills.

The United States has never defaulted on the payment of any debt incurred, and because of the size and strength of its economic and unmatched creditworthiness, is able to borrow on the lowest and most favorable terms of any nation or entity in the history of the world.

So secure and reliable is a bond issues by the Department of Treasury that the United States is the preferred haven for investments of foreign governments, corporations, and sovereign wealth funds.

The interest rate charged the federal government of the United States is the base for which every rate, from the prime rate charged the richest corporation to rates charged small business on purchases to the mortgages rates and students loans taken out by consumers.

If you raise the cost of borrowing for the government of the United States, you set off a chain reaction of increased interest rates for every other borrower in the United States and around the world.

This is why leading public finance experts and agencies, like Moody's Chief Economist Mark Zandi, have said it would be "cataclysmic" for the United States to default on its loan obligations.

Republicans know the debt ceiling needs to be raised; in 2019 during the Trump Administration, the Republican Senate Majority Leader marshalled Senate Republicans to vote to raise the debt ceiling, saying: "We raised the debt ceiling because America can't default[,] that would be a disaster."

Madam Speaker, this debate over extending the debt limit is not about restraining future spending, it is about paying the bills piled up already under both Republican and Democratic administrations.

The question of raising the national debt limit does not depend on how one feels about the Build Back Better agenda, as wildly popular as it is among all Americans, Democrats, Independents, and Republicans included.

It is instead about preserving the singular asset of the United States, its enviable and unrivaled creditworthiness, to finance future investments beneficial to the national interest, like the provision of free college for two years, or \$2 billion investment to reduce violence in communities approved by the Committee on the Judiciary, or investments to preserve and strengthen Medicaid expansion programs, or

extend broadband to underserved rural and urban areas, an action that will be as life-changing as the rural electrification program was in the 1930s.

Madam Speaker, if our friends across the aisle really want to shrink the deficit, reduce the national debt, practice fiscal responsibility, and bring about sustained economic growth and prosperity, there is a much better, easier, and more certain way to achieve these goals than by tampering with the U.S. Constitution.

The easier and better way is for the American people to keep a Democrat in the White House and place Democratic majorities in the House and Senate.

In the 1990s under the leadership of President Clinton the budget was balanced for four consecutive years, the national debt was paid down, the national debt, 23 million new jobs were created, and projected surpluses exceeded \$5 trillion.

Under President Obama the financial crisis and economic meltdown inherited from his Republican predecessor was ended, the annual deficit was reduced by 67 percent, the auto industry was saved from collapse, and 15 million jobs were created.

In contrast, under every Republican administration since President Reagan the size of the deficit bequeathed to his successor was substantially larger than the deficit he inherited, a major economic recession occurred, and economic growth was lower than it was at the beginning of his administration.

To preserve the sanctity of the full faith and credit of the United States, protect American jobs and businesses of all sizes, and ensure the continued growth of the economy, I support and urge all Members to join me in voting for S.J. Res. 33—Joint resolution relating to increasing the debt limit.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the rule, the previous question is ordered on the joint resolution.

The question is on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BRADY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 221, nays 209, not voting 4, as follows:

[Roll No. 449]

YEAS—221

Adams	Blunt Rochester	Carbajal
Aguilar	Bonamici	Cárdenas
Allred	Bourdeaux	Carson
Auchincloss	Bowman	Carter (LA)
Axne	Boyle, Brendan	Cartwright
Barragán	F.	Case
Bass	Brown (MD)	Casten
Beatty	Brown (OH)	Castor (FL)
Bera	Brownley	Castro (TX)
Beyer	Bush	Chu
Bishop (GA)	Bustos	Cicilline
Blumenauer	Butterfield	Clark (MA)

Clarke (NY)	Kelly (IL)	Pocan	Jackson	Meuser	Sessions	Jacobs (NY)	McEachin	Sánchez (Costa)
Cleaver	Khanna	Porter	Jacobs (NY)	Miller (IL)	Simpson	(Garbarino)	(Brown (MD))	Schrader
Clyburn	Kildee	Pressley	Johnson (LA)	Miller (WV)	Smith (MO)	Jackson (Van	Meng (Kuster)	(Correa)
Cohen	Kilmer	Price (NC)	Johnson (OH)	Miller-Meeks	Smith (NE)	Duyne)	Meuser (Burgess)	Sewell (Cicilline)
Connolly	Kim (NJ)	Quigley	Johnson (SD)	Moolenaar	Smith (NJ)	Jayapal (Raskin)	Miller (WV) (Van	Simpson
Cooper	Kind	Raskin	Jordan	Mooney	Smucker	Johnson (TX)	Duyne)	(Stewart)
Correa	Kinzinger	Rice (NY)	Joyce (OH)	Moore (AL)	Spartz	(Beyer)	Moore (UT)	Sires (Pallone)
Costa	Kirkpatrick	Ross	Joyce (PA)	Moore (UT)	Stauber	Jones (Craig)	(Stewart)	Speier (Scanlon)
Courtney	Krishnamoorthi	Roybal-Allard	Katko	Mullin	Steel	Joyce (OH)	Moulton (Beyer)	Stansbury
Craig	Kuster	Ruiz	Keller	Murphy (NC)	Stefanik	(Garbarino)	Nadler (Pallone)	(Kuster)
Crist	Lamb	Ruppersberger	Kelly (MS)	Nehls	Steil	Kahele (Mrvan)	Napolitano	Stefanik
Crow	Langevin	Rush	Kelly (PA)	Newhouse	Steube	Katko (Meijer)	(Correa)	(Burgess)
Cuellar	Larsen (WA)	Ryan	Kim (CA)	Norman	Stewart	Khanna	Neal (Beyer)	Strickland
Davids (KS)	Larson (CT)	Sánchez	Kustoff	Nunes	Taylor	(Connolly)	Neguse	(Schrier)
Davis, Danny K.	Lawrence	Sarbanes	LaHood	Obernolte	Tenney	Kilmer (Kildee)	(Perlmutter)	Suozi (Kildee)
Dean	Lawson (FL)	Scanlon	LaMalfa	Owens	Thompson (PA)	Kim (CA)	Nehls (Fallon)	Swalwell
DeFazio	Lee (CA)	Schakowsky	Lamborn	Palazzo	Tiffany	(Gonzalez	Newman (Wild)	(Gomez)
DeGette	Lee (NV)	Schiff	Latta	Palmer	Timmons	(OH))	Nunes (Garcia	Titus (Connolly)
DeLauro	Leger Fernandez	Schneider	LaTurner	Pence	Turner	(CA))	Ocasio-Cortez	Tonko (Pallone)
DeBene	Levin (CA)	Schrader	Lesko	Perry	Upton	Kinzing	(Garcia (IL))	Torres (NY)
Delgado	Levin (MI)	Schriener	Letlow	Pfluger	Valadao	(Meijer)	O'Halleran	(Cicilline)
Demings	Lieu	Scott (VA)	Long	Posey	Van Drew	Kirkpatrick	(Stanton)	Trahan
DeSaulnier	Loftgren	Scott, David	Loudermilk	Reed	Van Duyne	(Pallone)	Owens (Stewart)	(McGovern)
Deutch	Lowenthal	Sewell	Lucas	Reschenthaler	Walberg	Krishnamoorthi	Pascrell	Trone (Brown
Dingell	Luria	Sherman	Luetkemeyer	Rice (SC)	Walorski	(Brown (MD))	(Pallone)	(MD))
Doggett	Lynch	Sherrill	Mace	Rodgers (WA)	Waltz	LaHood	Payne (Pallone)	Underwood
Doyle, Michael	Malinowski	Sires	Malliotakis	Rogers (AL)	Weber (TX)	(Wenstrup)	Peters (Kildee)	(Casten)
F.	Maloney,	Slotkin	Mann	Rose	Webster (FL)	Lamborn (Bacon)	Pingree (Kuster)	Van Drew
Escobar	Carolyn B.	Smith (WA)	Massie	Rosendale	Westerman	Lawson (FL)	Porter (Aguilar)	(Burgess)
Eshoo	Maloney, Sean	Soto	Mast	Rouzer	Williams (TX)	(Evans)	Posey	Vargas (Correa)
Espallat	Manning	Spanberger	McCarthy	Roy	Wilson (SC)	Leger Fernandez	(Cammack)	Velázquez
Evans	Matsui	Speier	McCaul	Rutherford	Wittman	(Gallego)	Price (NC)	(Clarke (NY))
Fletcher	McBath	Stansbury	McClain	Salazar	Womack	Lesko (Joyce	(Connolly)	Wagner
Foster	McCullum	Stanton	McClintock	Scalise	Young	(PA))	Reed (Rice (SC))	(McHenry)
Frankel, Lois	McEachin	Stevens	McHenry	Schweikert	Zeldin	Long (Banks)	Reschenthaler	Walorski (Banks)
Gallego	McGovern	Strickland	McKinley	Scott, Austin		Loudermilk	(Burgess)	Watson Coleman
Garamendi	McNerney	Suozi	Meijer			(Fleischmann)	Rodgers (WA)	(Pallone)
Garcia (IL)	Meeks	Swalwell				Lowenthal	(Joyce (PA))	Welch
Garcia (TX)	Meng	Takano	Cawthorn	Higgins (LA)		(Beyer)	Roybal-Allard	(McGovern)
Golden	Mfume	Thompson (CA)	Hice (GA)	Vela		Luetkemeyer	(Connolly)	Wilson (FL)
Gomez	Moore (WI)	Thompson (MS)				(McHenry)	Ruiz (Aguilar)	(Brown (MD))
Gonzalez,	Morelle	Titus				Maloney,	Ruppersberger	Wilson (SC)
Vicente	Moulton	Tlaib				Carolyn B.	(Aguilar)	(Dunn)
Gottheimer	Mrvan	Tonko				(Wasserman	Rush (Quigley)	Zeldin
Green, Al (TX)	Murphy (FL)	Torres (CA)				Schultz)	Salazar	(Timmons)
Grijalva	Nadler	Torres (NY)				Mast (Waltz)	(Cammack)	
Harder (CA)	Napolitano	Trahan				McCaul (Burgess)		
Hayes	Neguse	Trone						
Higgins (NY)	Newman	Underwood						
Himes	Norcross	Vargas						
Horsford	O'Halleran	Veasey						
Houlihan	Ocasio-Cortez	Velázquez						
Hoyer	Omar	Wasserman						
Huffman	Pallone	Schultz						
Jackson Lee	Panetta	Waters						
Jacobs (CA)	Pappas	Watson Coleman						
Jayapal	Pascrell	Welch						
Jeffries	Payne	Wexton						
Johnson (GA)	Pelosi	Wild						
Johnson (TX)	Perlmutter	Williams (GA)						
Jones	Peters	Wilson (FL)						
Kahele	Phillips	Yarmuth						
Kaptur	Pingree							
Keating								

NOT VOTING—4

□ 0020

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Started for:

Mr. VELA. Madam Speaker, I was present and voted "yea" on rollcall No. 449, final passage of S.J. Res. 33. However, it has come to my attention that my vote was not recorded, and I would like the record to show how my vote would have been counted on S.J. Res. 33. Had I been present, I would have voted "yea" on rollcall No. 449.

## MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Aderholt	Chabot	Gallagher	Amodei	(Weber (TX))	(Sherman)
Allen	Cheney	Garbarino	(Balderson)	Case (Correa)	Gimenez
Amodei	Cline	Garcia (CA)	Armstrong	Clark (MA)	(Cammack)
Armstrong	Cloud	Gibbs	(Johnson	(Kuster)	Gohmert (Weber
Arrington	Clyde	Gimenez	(SD))	Cohen (Beyer)	(TX))
Babin	Cole	Gohmert	Axne (Wild)	Cole (Lucas)	Gonzalez,
Bacon	Comer	Gonzales, Tony	Baird (Bucshon)	Crist (Soto)	Vicente
Baird	Crawford	Gonzalez (OH)	Barragán (Beyer)	Cuellar (Green	(Correa)
Balderson	Crenshaw	Good (VA)	Beatty (Blunt	(TX))	Gosar (Boebert)
Banks	Curtis	Gooden (TX)	Curtis (Stewart)	DeFazio (Brown	Gottheimer
Barr	Davidson	Gosar	DeFazio (Brown	(MD))	(Sherrill)
Bentz	Davis, Rodney	Granger	(MD))	DelBene (Larsen	Granger
Bergman	DesJarlais	Graves (LA)	DelBene (Larsen	(WA))	(Arrington)
Bice (OK)	Diaz-Balart	Graves (MO)	(WA))	DeGette (Blunt	Graves (MO)
Biggs	Donalds	Green (TN)	DeGette (Blunt	Rochester)	(Fleischmann)
Billrakis	Duncan	Greene (GA)	Rochester)	Green (TN)	Green (TN)
Bishop (NC)	Dunn	Griffith	DeSaulnier	(Fleischmann)	Grijalva
Boebert	Ellzey	Grothman	(Beyer)	(Stanton)	(Stanton)
Bost	Emmer	Guest	Diaz-Balart	Guthrie	(Bucshon)
Brady	Estes	Guthrie	(Burgess)	(Buchon)	
Brooks	Fallon	Hagedorn	Doggett (Raskin)	Hagedorn	
Buchanan	Feenstra	Harris	Doyle, Michael	(Moolenaar)	
Buck	Ferguson	Harshbarger	F. (Evans)		
Bucshon	Fischbach	Hartzler	Escobar (Garcia		
Budd	Fitzgerald	Hern	(TX))		
Burchett	Fitzpatrick	Herrrell	Espallat		
Burgess	Fleischmann	Herrera Beutler	(Correa)		
Calvert	Fortenberry	Hill	Fletcher		
Cammack	Fox	Hinon	(Raskin)		
Carey	Franklin, C.	Hollingsworth	Frankel, Lois		
Carl	Scott	Hudson	(Kuster)		
Carter (GA)	Fulcher	Huizenga	Fulcher (Johnson		
Carter (TX)	Gaetz	Issa	(OH))		
			Garamendi		
			Jacobs (CA)		

## BILLS PRESENTED TO THE PRESIDENT

Cheryl L. Johnson, Clerk of the House, reported that on December 3, 2021, she presented to the President of the United States, for his approval, the following bill:

H.R. 6119. Making further continuing appropriations for the fiscal year ending September 30, 2022, and for other purposes.

Cheryl L. Johnson, Clerk of the House, further reported that on December 7, 2021, she presented to the President of the United States, for his approval, the following bill:

H.R. 5142. To award posthumously a Congressional Gold Medal, in commemoration to the servicemembers who perished in Afghanistan on August 26, 2021, during the evacuation of citizens of the United States and Afghan allies at Hamid Karzai International Airport, and for other purposes.

## ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 11(b) of House Resolution 188, the House stands adjourned until 11 a.m. on Thursday, December 16, 2021.

Thereupon (at 12 o'clock and 23 minutes a.m.), under its previous order, the House adjourned until Thursday, December 16, 2021, at 11 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC-2948. A letter from the Program Specialist, Chief Counsel's Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Collective Investment Funds: Prior Notice Period for Withdrawals [Docket ID: OCC-2020-0031] (RIN: 1557-AE99) received December 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

EC-2949. A letter from the Program Specialist, Chief Counsel's Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Appraisals for Higher-Priced Mortgage Loans Exemption Threshold [Docket No.: OCC-2021-0019] (RIN: 1557-AF13) received December 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

EC-2950. A letter from the Program Specialist, Chief Counsel's Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Computer-Security Incident Notification Requirements for Banking Organizations and Their Bank Service Providers [Docket ID: OCC-2020-0038] (RIN: 1557-AF02) received December 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

EC-2951. A letter from the Secretary, Department of the Treasury, transmitting an update regarding the Treasury Department's ability to continue to finance the operations of the federal government under the constraints of the debt limit; to the Committee on Financial Services.

EC-2952. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Addition of Natural Gas Processing Facilities to the Toxics Release Inventory [EPA-HQ-TRI-2016-0390; FRL-5879-02-OCSP] (RIN: 2070-AK16) received December 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2953. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clean Air Plans; California; San Joaquin Valley Moderate Area Plan and Reclassification as Serious Nonattainment for the 2012 PM<sub>2.5</sub> NAAQS; Contingency Measures for the 2006 PM<sub>2.5</sub> NAAQS [EPA-R09-OAR-2021-0543; FRL-8846-02-R9] received December 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2954. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Partial Approval and Partial Disapproval of Air Quality Implementation Plans; California; San Joaquin Valley Serious Area and Section 189(d) Plan for Attainment of the 1997 Annual PM<sub>2.5</sub> NAAQS [EPA-R09-OAR-2021-0260; FRL-8644-01-R9] received December 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2955. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Louisiana: Incorporation by Reference of Approved State Hazardous Waste Management Program [EPA-R06-RCRA-2020-0261; FRL-9240-02-R6] received December 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2956. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Additional Revised Air Quality Designations for the 2015 Ozone National Ambient Air Quality Standards: El Paso County, Texas and Weld County, Colorado [EPA-HQ-OAR-2017-0548; FRL: 8260.1-02-OAR] received December 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2957. A letter from the Deputy Bureau Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting the Commission's final rule — Procedures for Commission Review of State Opt-Out Requests from the FirstNet Radio Access Network [PS Docket No.: 16-269] December 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2958. A letter from the Deputy Division Chief, Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Implementation of the National Suicide Hotline Improvement Act of 2018 [WC Docket No.: 18-336] received December 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2959. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Report Number: 004511, Progress Report on the U.S. Embassy in Jerusalem, pursuant to Public Law 104-45; to the Committee on Foreign Affairs.

EC-2960. A letter from the Sanctions Regulations Advisor, Department of the Treasury, transmitting the Department's final rule — Syrian Sanctions Regulations received December 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

EC-2961. A letter from the Director, President's Pay Agent, Office of Personnel Management, transmitting a detailed report justifying the reasons for the extension of locality-based comparability payments to non-General Schedule categories of positions that are in more than one executive agency, pursuant to 5 U.S.C. 5304(h)(2)(C); Public Law 89-554, Sec. 5304(h) (as added by Public Law 102-378, Sec. 2(26)(E)(ii)); (106 Stat. 1349); to the Committee on Oversight and Reform.

EC-2962. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting the Department's FY 2021 Agency Financial Report, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Reform.

EC-2963. A letter from the Director, Congressional Affairs, Federal Election Commission, transmitting the Commission's Fiscal Year 2021 Agency Financial Report, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Reform.

EC-2964. A letter from the Director, Office of Personnel Management, transmitting the Semiannual Report of the Inspector General and the Management Response for the period of April 1, 2021, to September 30, 2021, pursuant to Section 5, Public Law 95-452; to the Committee on Oversight and Reform.

EC-2965. A letter from the Acting Commissioner, Social Security Administration, transmitting the Administration's Inspector General Semiannual Report to Congress for the period April 1, 2021 through September

30, 2021, pursuant to the Inspector General Act of 1978; to the Committee on Oversight and Reform.

EC-2966. A letter from the Director, Regulation and Disclosure Law Division, U.S. Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Extension and Amendment of Import Restrictions Imposed on Archaeological and Ethnological Material of Greece [CBP Dec.: 21-16] (RIN: 1515-AE68) received December 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

EC-2967. A letter from the Branch Chief, Legal Processing Division, Internal Revenue Service, transmitting the Service's IRB only rule — Homeowner Assistant Fund safe harbor (Rev. Proc. 2021-47) received December 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

EC-2968. A letter from the Regulations Writer — Federal Register Liaison, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Extension of Expiration Dates for Three Body System Listings [Docket No.: SSA-2021-0035] (RIN: 0960-AI56) received December 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RASKIN: Committee on Rules. House Resolution 848. Resolution relating to the consideration of House Report 117-216 and an accompanying resolution (Rept. 117-217). Referred to the House Calendar.

Mr. MCGOVERN: Committee on Rules. House Resolution 849. Resolution providing for consideration of the (H.R. 5665) to establish in the Department of State the Office to Monitor and Combat Islamophobia, and for other purposes (Rept. 117-218). Referred to the House Calendar.

Mr. MORELLE: Committee on Rules. House Resolution 852. Resolution providing for consideration of the joint resolution (S.J. Res. 33) joint resolution relating to increasing the debt limit (Rept. 117-219). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MCGOVERN (for himself and Mr. SMITH of New Jersey):

H.R. 6256. A bill to ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes; to the Committees on Foreign Affairs, Ways and Means, and the Judiciary; considered and passed.

By Mr. WEBSTER of Florida (for himself, Mr. GRAVES of Missouri, Mrs. MCCLAIN, Mr. NORMAN, Mr. WEBER of Texas, Mr. POSEY, Mr. PERRY, Mrs. BOEBERT, Mr. BUDD, and Mr. GAETZ):

H.R. 6257. A bill to prohibit the Federal Government from imposing a vaccine mandate on individuals traveling on public or private transportation for hire within the

United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PALAZZO (for himself and Mr. CASE):

H.R. 6258. A bill to establish a regulatory system for sustainable offshore aquaculture in the United States exclusive economic zone, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARRINGTON (for himself, Mr. NEWHOUSE, Ms. VAN DUYN, Mr. JACKSON, Ms. GRANGER, Mr. WILLIAMS of Texas, Mr. CAWTHORN, Mrs. MILLER of West Virginia, Mr. PFLUGER, Mr. TONY GONZALES of Texas, Mr. BUDD, Mr. BALDERSON, Mr. ROY, Mr. FALLON, Mr. BABIN, Mr. SESSIONS, Mr. GOODEN of Texas, Mr. DUNCAN, Mrs. BICE of Oklahoma, Mr. CLOUD, Mr. TAYLOR, Mr. CRENSHAW, and Mr. MCCAUL):

H.R. 6259. A bill to revise the authority provided to the President to impose export licensing requirements or other restrictions on the export of crude oil from the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BACON:

H.R. 6260. A bill to direct the Secretary of Defense to establish a working group for the reform of the casualty assistance officer program, and for other purposes; to the Committee on Armed Services.

By Mr. BOWMAN (for himself, Ms. JACKSON LEE, Ms. CLARKE of New York, Mr. PAYNE, Mr. GARCÍA of Illinois, Ms. JOHNSON of Texas, Mr. DAVID SCOTT of Georgia, Mr. THOMPSON of Mississippi, Mr. CARSON, Mr. CLEAVER, Mr. JONES, Ms. NORTON, Ms. TLAIB, Mrs. CAROLYN B. MALONEY of New York, Ms. MOORE of Wisconsin, Mrs. WATSON COLEMAN, Mr. KHANNA, Ms. LEE of California, Mr. EVANS, Mr. NADLER, Ms. WILLIAMS of Georgia, Mr. CÁRDENAS, Ms. BUSH, Mr. BROWN of Maryland, Mr. MEEKS, Mr. CONNOLLY, Ms. WILSON of Florida, Mr. DANNY K. DAVIS of Illinois, Mr. BLUMENAUER, Mr. KAHELE, Mr. MCGOVERN, Ms. JAYAPAL, Mr. VARGAS, Ms. SCHAKOWSKY, Ms. MCCOLLUM, Ms. ADAMS, Mr. LEVIN of Michigan, Mrs. BEATTY, Mr. BUTTERFIELD, Mr. HORSFORD, Mrs. LAWRENCE, Mr. COHEN, Ms. KELLY of Illinois, Mr. AUCHINCLOSS, Ms. MENG, Mr. RUSH, Ms. BASS, Ms. OCASIO-CORTEZ, Mr. JOHNSON of Georgia, Ms. OMAR, Mr. GALLEGO, Mr. POCAN, Ms. PRESSLEY, and Mr. GREEN of Texas):

H.R. 6261. A bill to authorize the Director of the National Museum of African American History and Culture to support African American history education programs, and for other purposes; to the Committee on House Administration.

By Mr. CARTER of Georgia (for himself, Mr. DUNCAN, Mr. WEBER of Texas, Mr. TIFFANY, Mr. GOHMERT, and Mr. BABIN):

H.R. 6262. A bill to ban the teaching of critical race theory in public education, and for other purposes; to the Committee on Education and Labor.

By Mr. DIAZ-BALART:

H.R. 6263. A bill to amend title 54, United States Code, and the Federal Lands Recreation Enhancement Act to prohibit medical discrimination relating to applications for commercial use authorizations and special

recreation permits, and to clarify the status of the holders of commercial use authorizations and special recreation permits, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARBARINO (for himself, Mr. BUDD, Mr. SMITH of New Jersey, Mr. JACOBS of New York, Mrs. MILLER-MEEKS, Mrs. HINSON, Mr. VAN DREW, Mr. WEBER of Texas, Mrs. CAMMACK, Mr. GIMENEZ, Ms. MALLIOTAKIS, Mr. BISHOP of North Carolina, Ms. TENNEY, Mr. GUEST, Ms. STEFANIK, Mr. KATKO, and Mr. ZELDIN):

H.R. 6264. A bill to make the assault of a law enforcement officer a deportable offense, and for other purposes; to the Committee on the Judiciary.

By Mr. HILL (for himself and Mr. BRENDAN F. BOYLE of Pennsylvania):

H.R. 6265. A bill to require a strategy by the United States Government to disrupt and dismantle the Captagon trade and narcotics networks of Bashar al-Assad in Syria; to the Committee on Foreign Affairs, and in addition to the Committees on Intelligence (Permanent Select), Armed Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Georgia (for himself, Mr. JONES, Mr. COHEN, and Ms. OCASIO-CORTEZ):

H.R. 6266. A bill to amend title 28, United States Code, to require certain disclosures related to amicus activities; to the Committee on the Judiciary.

By Mr. JONES (for himself, Mr. SUOZZI, Ms. MENG, Ms. VELÁZQUEZ, Mr. JEFFRIES, Ms. CLARKE of New York, Mr. NADLER, Mrs. CAROLYN B. MALONEY of New York, Mr. ESPAILLAT, Mr. TORRES of New York, Mr. SEAN PATRICK MALONEY of New York, Mr. DELGADO, and Mr. JACOBS of New York):

H.R. 6267. A bill to designate the facility of the United States Postal Service located at 15 Chestnut Street in Suffern, New York, as the "Sergeant Gerald T. 'Jerry' Donnellan Post Office"; to the Committee on Oversight and Reform.

By Ms. KELLY of Illinois (for herself, Ms. CLARKE of New York, Mr. FITZPATRICK, and Mrs. WATSON COLEMAN):

H.R. 6268. A bill to establish an Inter-agency Task Force to examine the conditions and experiences of Black women and girls in education, economic development, healthcare, labor and employment, housing, justice and civil rights, to promote community-based methods for mitigating and addressing harm and ensuring accountability, and to study societal effects on Black women and girls, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and Labor, Energy and Commerce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KRISHNAMOORTHY (for himself and Mr. STEWART):

H.R. 6269. A bill to require a report on cooperation between China and the United Arab Emirates regarding defense, security, technology, and other strategically sensitive matters that implicate the national security interests of the United States, and for other

purposes; to the Committee on Intelligence (Permanent Select).

By Mr. LARSEN of Washington (for himself, Mr. GRAVES of Louisiana, and Ms. TITUS):

H.R. 6270. A bill to direct the Secretary of Transportation to establish a pilot program to provide grants related to advanced air mobility infrastructure, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LATURNER:

H.R. 6271. A bill to amend the Internal Revenue Code of 1986 to improve access to health care through expanded health savings accounts, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAWSON of Florida (for himself, Ms. MOORE of Wisconsin, Ms. TLAIB, Ms. LEE of California, Mr. KHANNA, Mr. GRIJALVA, Ms. JACOBS of California, Ms. MENG, Ms. BASS, Mr. JOHNSON of Georgia, Mrs. DEMINGS, Mr. MCGOVERN, Ms. WILSON of Florida, Mr. TRONE, Mr. BOWMAN, Mrs. WATSON COLEMAN, Mr. ESPAILLAT, Mr. HUFFMAN, Mr. TORRES of New York, Mr. GARCÍA of Illinois, Ms. ROYBAL-ALLARD, Mr. CLEAVER, Mr. MOULTON, Mr. VICENTE GONZALEZ of Texas, Mr. DESAULNIER, Mr. RUSH, Mr. PAYNE, Ms. DEAN, Mr. SWALWELL, Mr. KILMER, Mr. GALLEGO, Ms. BUSH, Mr. CORREA, Mr. EVANS, Mr. WELCH, Mr. CRIST, Mr. BLUMENAUER, Mr. JONES, Mr. CUELLAR, and Mrs. HAYES):

H.R. 6272. A bill to amend the Food and Nutrition Act of 2008 to expand the eligibility of students to participate in the supplemental nutrition assistance program, and for other purposes; to the Committee on Agriculture.

By Mrs. LEE of Nevada (for herself, Mr. TONY GONZALES of Texas, Mr. ALLRED, and Mr. GONZALEZ of Ohio):

H.R. 6273. A bill to direct the Secretary of Veterans Affairs to establish the Zero Suicide Initiative pilot program of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. LUETKEMEYER (for himself, Mr. WILLIAMS of Texas, Mr. BUDD, Mrs. WAGNER, Mr. HUIZENGA, Mr. TIMMONS, Mr. MOONEY, Mr. EMMER, Mr. LOUDERMILK, Mr. POSEY, Mr. ROSE, Mr. KUSTOFF, Mr. TAYLOR, Mr. STEIL, Mr. GONZALEZ of Ohio, Mr. GOODEN of Texas, Mr. DAVIDSON, Mr. HOLLINGSWORTH, Mr. MCHENRY, Mr. ZELDIN, Mr. HILL, Mr. BARR, Mr. LUCAS, and Mr. SESSIONS):

H.R. 6274. A bill to amend the Federal Deposit Insurance Act to revise the membership requirements for the Board of Directors of the Federal Deposit Insurance Corporation, and for other purposes; to the Committee on Financial Services.

By Ms. MACE:

H.R. 6275. A bill to prohibit the use of Federal funds to administer a COVID-19 vaccine to officers and employees of the U.S. Border Patrol, U.S. Immigration and Customs Enforcement, or certain Department of the Interior officers and employees or require that such officers and employees receive such a vaccine as a condition of employment; to the Committee on Homeland Security, and in addition to the Committees on Natural Resources, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.



By Mr. MCCLINTOCK (for himself, Mr. THOMPSON of California, Mr. MCNERNEY, Mr. ISSA, Mrs. STEEL, Mr. COSTA, Mr. HUFFMAN, Mr. NUNES, Mr. GARCIA of California, Mr. OBERNOLTE, Ms. BROWNLEY, Mr. VALADAO, Mr. LAMALFA, Mr. LEVIN of California, Ms. PORTER, Mr. CALVERT, Mr. SHERMAN, Mr. LIEU, Mr. CARBAJAL, Mrs. KIM of California, Mr. MCCARTHY, Mr. PETERS, Mr. HARDER of California, Mr. SWALWELL, and Mr. PANETTA):

H.R. 6276. A bill to designate the facility of the United States Postal Service located at 3045 Sacramento Street in Placerville, California, as the “Deputy Sheriff Brian Ishmael Post Office”; to the Committee on Oversight and Reform.

By Mr. MOOLENAAR (for himself and Mr. MEUSER):

H.R. 6277. A bill to amend the Internal Revenue Code of 1986 to exclude ethylene from taxation under the Superfund excise tax; to the Committee on Ways and Means.

By Mr. MOULTON (for himself and Mrs. TRAHAN):

H.R. 6278. A bill to amend the Servicemembers Civil Relief Act to make a violation of such Act, relating to the enforcement of a storage lien, a felony; to the Committee on Veterans' Affairs, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NORCROSS (for himself and Mr. TRONE):

H.R. 6279. A bill to authorize a study on certain exemptions for treatment of opioid use disorder through opioid treatment programs during the COVID-19 public health emergency, and for other purposes; to the Committee on Energy and Commerce.

By Mr. O'HALLERAN (for himself, Mr. STEWART, and Mr. MOORE of Utah):

H.R. 6280. A bill to amend the Fair Labor Standards Act of 1938 to exempt certain employees engaged in outdoor recreational outfitting or guiding services from maximum hours requirements; to the Committee on Education and Labor.

By Mr. PANETTA (for himself, Mr. AUCHINCLOSS, Ms. NORTON, Mr. SWALWELL, and Mr. THOMPSON of California):

H.R. 6281. A bill to require the search and retention of certain records with respect to conducting criminal background checks, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PERRY (for himself and Mr. GOHMERT):

H.R. 6282. A bill to amend title III of the Public Health Service Act to eliminate immunity for manufacturers of COVID-19 vaccines, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RASKIN (for himself, Mr. JONES, Mr. CASE, Ms. NORTON, Mr. LIEU, Mr. MCGOVERN, Mr. COOPER, Ms. SCHAKOWSKY, Mr. POCAN, Ms. ROYBAL-ALLARD, Mr. JOHNSON of Georgia, Ms. TLAIB, Mr. SUOZZI, Ms. TITUS, Mr. DANNY K. DAVIS of Illinois, Mr. DESAULNIER, Mr. QUIGLEY, Mr. TRONE, Mr. DEUTCH, and Ms. WILLIAMS of Georgia):

H.R. 6283. A bill to amend the Federal Election Campaign Act of 1971 to apply the ban on contributions and expenditures by foreign nationals under such Act to foreign-controlled, foreign-influenced, and foreign-owned domestic business entities, and for other purposes; to the Committee on House Administration.

By Mr. ROSENDALE (for himself, Mr. WESTERMAN, Mr. NEWHOUSE, and Mr. FULCHER):

H.R. 6284. A bill to direct the Secretary of the Interior to reissue a final rule relating to removing the Greater Yellowstone Ecosystem population of grizzly bears from the Federal list of endangered and threatened wildlife and to issue a new rule removing the Northern Continental Divide Ecosystem population of grizzly bears from such list; to the Committee on Natural Resources.

By Mr. SHERMAN (for himself, Mrs. SPARTZ, and Mr. BARR):

H.R. 6285. A bill to amend the Sarbanes-Oxley Act of 2002 to institute a trading prohibition for certain issuers that retain public accounting firms that have not been subject to inspection by the Public Company Accounting Oversight Board, and for other purposes; to the Committee on Financial Services.

By Ms. SHERRILL (for herself, Mr. KRISHNAMOORTHY, and Mr. STEWART):

H.R. 6286. A bill to amend the Federal Food, Drug, and Cosmetic Act to vest regulatory authority with respect to tobacco products containing nicotine not made or derived from tobacco, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SHERRILL (for herself, Ms. DEAN, Mr. CARSON, Mr. HARDER of California, Ms. BONAMICI, Mr. YARMUTH, Ms. SCANLON, Mr. FITZPATRICK, Mr. DANNY K. DAVIS of Illinois, Mr. BACON, and Mr. POSEY):

H.R. 6287. A bill to amend the McKinney-Vento Homeless Assistance Act to meet the needs of homeless children, youth, and families, and honor the assessments and priorities of local communities; to the Committee on Financial Services, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey:

H.R. 6288. A bill to establish certain protections for members of the Armed Forces who refuse to receive vaccinations against COVID-19; to the Committee on Armed Services.

By Ms. STANSBURY (for herself and Ms. LEGER FERNANDEZ):

H.R. 6289. A bill to provide the consent of Congress to an amendment to the Constitution of the State of New Mexico; to the Committee on Natural Resources.

By Mr. TONKO (for himself, Mrs. AXNE, and Mr. UPTON):

H.R. 6290. A bill to provide for the establishment of a section of the website of the Department of Commerce that shall serve as the primary hub for information relating to Federal manufacturing programs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TONKO (for himself and Mr. ELLZEY):

H.R. 6291. A bill to provide for a comprehensive and integrative program to accelerate microelectronics research and development at the Department of Energy, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. WENSTRUP (for himself and Mr. TURNER):

H.R. 6292. A bill to direct the Department of Defense to report to Congress on the potential integration of advanced propulsion systems into F-35 aircraft, and for other purposes; to the Committee on Armed Services.

By Ms. WILSON of Florida (for herself, Ms. NORTON, Mr. GRIJALVA, and Mr. MOULTON):

H.R. 6293. A bill to amend the National Voter Registration Act of 1993 to require

States to designate public high schools as voter registration agencies, to direct such schools to conduct voter registration drives for students attending such schools, to direct the Secretary of Education to make grants to reimburse such schools for the costs of conducting such voter registration drives, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG:

H.R. 6294. A bill to amend the Public Health Service Act to provide for demonstration grants and create a Federal Work Group to reduce and prevent the incidence of teen dating violence; to the Committee on Energy and Commerce.

By Mr. LAMBORN (for himself, Mr. SCALISE, Mr. BANKS, Mr. CAWTHORN, Mr. OBERNOLTE, Mrs. HARTZLER, Mr. WITTMAN, Mr. ALLEN, Mr. GOOD of Virginia, Ms. MALLIOTAKIS, Mr. GROTHMAN, Mr. DUNCAN, Mr. ROUZER, Mr. AUSTIN SCOTT of Georgia, Mr. GARCIA of California, Mr. MOOLENAAR, Mr. JACOBS of New York, Mr. CARL, Mr. WEBER of Texas, Mr. ADERHOLT, Mr. BURGESS, Mrs. HARSHBARGER, Mr. PFLUGER, Mr. BABIN, Ms. VAN DUYNE, Mr. LAMALFA, Mr. MEUSER, Mr. WILSON of South Carolina, Mr. BERGMAN, Mrs. MILLER of Illinois, Mr. HUIZENGA, Mr. HERN, Mr. WALBERG, Mr. GAETZ, Mr. PALAZZO, Mr. NORMAN, Mr. CLINE, and Mr. STAUBER):

H. Res. 850. A resolution expressing the sense of the House of Representatives that the symbols and traditions of Christmas should be protected for use by those who celebrate Christmas; to the Committee on Oversight and Reform.

By Mr. THOMPSON of Mississippi:

H. Res. 851. A resolution recommending that the House of Representatives find Mark Randall Meadows in contempt of Congress for refusal to comply with a subpoena duly issued by the Select Committee to Investigate the January 6th Attack on the United States Capitol; considered and agreed to.

By Ms. JACOBS of California (for herself and Mr. FITZPATRICK):

H. Res. 853. A resolution calling on the United States and international donors to prioritize children, including the efforts of UNICEF, in COVID-19 rebuilding efforts; to the Committee on Foreign Affairs.

By Ms. NORTON:

H. Res. 854. A resolution calling on Congress to condemn voter suppression laws enacted by States and political subdivisions; to the Committee on the Judiciary.

By Mr. STAUBER (for himself, Mr. NEWHOUSE, Mr. PFLUGER, Mr. YOUNG, Mr. AMODEI, Mr. MCKINLEY, Mr. GOSAR, Mr. GRIFFITH, Mr. BOST, Mr. KELLER, Mr. MEUSER, Mr. LAMBORN, Mr. STEWART, Ms. HERRELL, Mr. MOONEY, Mr. TIFFANY, Mrs. FISCHBACH, Mr. RODNEY DAVIS of Illinois, Mrs. BOEBERT, Ms. CHENEY, Mr. EMMER, Mr. LAMALFA, Mr. NORMAN, Mr. FULCHER, and Mr. BUCHSHON):

H. Res. 855. A resolution expressing support for designation of the first week of December 2022 as National United States Miners Week; to the Committee on Education and Labor.

By Ms. WILD (for herself and Mr. FITZPATRICK):

H. Res. 856. A resolution expressing support for the designation of “National Amplified Musculoskeletal Pain Syndrome Awareness Day”; to the Committee on Energy and Commerce.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

ML-127. The SPEAKER presented a memorial of the General Assembly of the State of North Dakota, relative to House Concurrent Resolution No. 3049, recognizing parents as the chief stakeholder of the future and education to their children; to the Committee on Education and Labor.

ML-128. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 177, to demand that President Biden and the United States Congress provide no support to the Taliban, either direct or indirect, including but not limited to aid; to the Committee on Foreign Affairs.

ML-129. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 88, to support the religious liberty of Michigan citizens; to the Committee on the Judiciary.

ML-130. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 89, urging the Federal Government to allow persons under the age of 21 to operate commercial vehicles on interstate routes; to the Committee on Transportation and Infrastructure.

ML-131. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 195, urging the Congress of the United States to oppose the proposal to make an unnecessary and harmful change to Internal Revenue Service reporting requirements that affect financial institutions and their customers in this Commonwealth; to the Committee on Ways and Means.

ML-132. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 157, urging the members of Congress to take action to mitigate the depletion of the Social Security and Medicare Trust Funds; jointly to the Committees on Energy and Commerce and Ways and Means.

PRIVATE BILLS AND  
RESOLUTIONS

Under clause 3 of rule XII,

Mr. MOULTON introduced A bill (H.R. 6295) to For the relief of Maria Merida de Macario and Firely Airlen Rios Cano; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY  
STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MCGOVERN:

H.R. 6256.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article 18

By Mr. WEBSTER of Florida:

H.R. 6257.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 and Article 1, Section 8, Clause 18

By Mr. PALAZZO:

H.R. 6258.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution  
By Mr. ARRINGTON:

H.R. 6259.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. BACON:

H.R. 6260.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 provides Congress the authority to "make rules for the government and regulation of the land and naval forces"

By Mr. BOWMAN:

H.R. 6261.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8 of the Constitution of the United States.

By Mr. CARTER of Georgia:

H.R. 6262.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution

By Mr. DIAZ-BALART:

H.R. 6263.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. GARBARINO:

H.R. 6264.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8 of the United States Constitution.

By Mr. HILL:

H.R. 6265.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. JOHNSON of Georgia:

H.R. 6266.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, section 8, clause 18 of the United States Constitution.

By Mr. JONES:

H.R. 6267.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the United States Constitution.

By Ms. KELLY of Illinois:

H.R. 6268.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 Article 1 of the Constitution

By Mr. KRISHNAMOORTHY:

H.R. 6269.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the U.S. Constitution

By Mr. LARSEN of Washington:

H.R. 6270.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mr. LATURNER:

H.R. 6271.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 which provides Congress the power to lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common defence and general welfare of the United States.

By Mr. LAWSON of Florida:

H.R. 6272.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers,

and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mrs. LEE of Nevada:

H.R. 6273.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 provides Congress with the power to "lay and collect Taxes, Duties, Imposts and Excises" in order to "provide for the . . . general Welfare of the United States."

By Mr. LUETKEMEYER:

H.R. 6274.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution: Congress shall have the power to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. MACE:

H.R. 6275.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clauses 1 and 18

By Mr. MCCLINTOCK:

H.R. 6276.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7 of the Constitution of the United States of America.

By Mr. MOOLENAAR:

H.R. 6277.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. MOULTON:

H.R. 6278.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. NORCROSS:

H.R. 6279.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. O'HALLERAN:

H.R. 6280.

Congress has the power to enact this legislation pursuant to the following:

Clause 18, section 8 of article 1 of the Constitution

By Mr. PANETTA:

H.R. 6281.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18

By Mr. PERRY:

H.R. 6282.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RASKIN:

H.R. 6283.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. ROSENDALE:

H.R. 6284.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. SHERMAN:

H.R. 6285.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.



By Ms. SHERRILL:

H.R. 6286.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 or Article 1 of the Constitution of the United States of America.

By Ms. SHERRILL:

H.R. 6287.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 or Article 1 of the Constitution of the United States of America.

By Mr. SMITH of New Jersey:

H.R. 6288.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the US Constitution

By Ms. STANSBURY:

H.R. 6289.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8

By Mr. TONKO:

H.R. 6290.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. TONKO:

H.R. 6291.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. WENSTRUP:

H.R. 6292.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. WILSON of Florida:

H.R. 6293.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. YOUNG:

H.R. 6294.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Article I, Section 8, Clause 18

By Mr. MOULTON:

H.R. 6295.

Congress has the power to enact this legislation pursuant to the following:

Article I; Section 8, Clause 4 and 18 of the United States Constitution.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 38: Mr. FLEISCHMANN and Mr. MCCAUL.  
H.R. 55: Ms. TITUS and Mr. LEVIN of Michigan.

H.R. 82: Mr. LATURNER.  
H.R. 151: Ms. MALLIOTAKIS, Mr. GARAMENDI, Mr. DOGGETT, and Mr. PAYNE.

H.R. 203: Mr. CRENSHAW.  
H.R. 222: Ms. WILLIAMS of Georgia.  
H.R. 255: Ms. SANCHEZ.  
H.R. 263: Mr. DOGGETT.  
H.R. 310: Mr. PALAZZO.  
H.R. 415: Mr. BERA.  
H.R. 426: Mr. VAN DREW.  
H.R. 504: Mr. BABIN, Mr. BUDD, and Mrs. MILLER-MEEKS.

H.R. 571: Mr. PAYNE.  
H.R. 616: Mr. GALLEGO and Mr. LEVIN of California.

H.R. 623: Mrs. KIM of California.  
H.R. 725: Mr. GOOD of Virginia.  
H.R. 748: Mr. SMITH of Washington, Mr. FOSTER, Ms. LOFGREN, Mrs. TORRES of California, and Ms. UNDERWOOD.

H.R. 794: Mrs. CAROLYN B. MALONEY of New York and Ms. LEE of California.

H.R. 849: Mr. PHILLIPS, Mr. PAYNE, and Ms. PRESSLEY.

H.R. 890: Mr. JOYCE of Pennsylvania and Ms. LEE of California.

H.R. 962: Ms. LOIS FRANKEL of Florida.  
H.R. 971: Mr. LARSEN of Washington.

H.R. 1012: Mrs. TRAHAN and Mrs. KIM of California.

H.R. 1095: Mr. VALADAO and Mrs. STEEL.  
H.R. 1111: Ms. JACOBS of California.

H.R. 1115: Mr. VAN DREW.  
H.R. 1182: Ms. JACOBS of California.

H.R. 1183: Ms. JACOBS of California.  
H.R. 1211: Mr. DELGADO.

H.R. 1259: Mr. FITZPATRICK.  
H.R. 1282: Mr. CORREA, Ms. WEXTON, and Mr. HICE of Georgia.

H.R. 1304: Mr. PERRY.  
H.R. 1305: Ms. WILLIAMS of Georgia.

H.R. 1344: Mr. PAYNE.  
H.R. 1378: Mr. CORREA, Mr. VARGAS, and Mr. GOMEZ.

H.R. 1397: Ms. LEE of California and Mr. FITZPATRICK.

H.R. 1408: Ms. BONAMICI.  
H.R. 1432: Ms. BONAMICI.

H.R. 1456: Ms. WILLIAMS of Georgia.  
H.R. 1558: Mr. BOWMAN and Ms. CHU.

H.R. 1577: Mr. MCGOVERN.  
H.R. 1596: Ms. WILLIAMS of Georgia.

H.R. 1676: Ms. LEE of California.  
H.R. 1697: Mrs. HAYES.

H.R. 1729: Mr. WITTMAN, Mr. DONALDS, and Mr. BISHOP of North Carolina.

H.R. 1755: Mr. HUFFMAN.  
H.R. 1785: Ms. DEGETTE.

H.R. 1813: Mrs. MILLER-MEEKS and Mrs. FLETCHER.

H.R. 1842: Ms. MENG, Mrs. NAPOLITANO, Mr. CONNOLLY, Mr. GARCÍA of Illinois, Mr. SMITH of New Jersey, Mr. EVANS, Ms. ESCOBAR, Ms. TLAIB, Mr. AMODEI, Mr. PAYNE, Mr. QUIGLEY, Ms. LOIS FRANKEL of Florida, Mr. BLUMENAUER, Mr. KIM of New Jersey, Mr. CARBAJAL, Ms. LOFGREN, and Mrs. TORRES of California.

H.R. 1861: Mr. MAST, Mr. KELLY of Mississippi, Mr. PFLUGER, Mr. WALBERG, Mr. MOORE of Alabama, Mr. MURPHY of North Carolina, Mrs. HARSHBARGER, Mr. CRAWFORD, Mr. YOUNG, and Ms. SCHRIER.

H.R. 1954: Mr. GOTTHEIMER.  
H.R. 1972: Mr. KIM of New Jersey.

H.R. 1997: Ms. CRAIG.  
H.R. 2007: Ms. LEGER FERNANDEZ and Ms. LOIS FRANKEL of Florida.

H.R. 2012: Ms. LEGER FERNANDEZ.  
H.R. 2021: Ms. JACOBS of California.

H.R. 2054: Ms. BOURDEAUX.  
H.R. 2085: Mr. VAN DREW, Mr. KILDEE, Mr. MALINOWSKI, Ms. TITUS, Mr. LIEU, Mr. KRISHNAMOORTHY, Mr. RUPPERSBERGER, Mr. RASKIN, Ms. ESCOBAR, and Mr. AGUILAR.

H.R. 2151: Mr. DELGADO.  
H.R. 2154: Ms. SPANBERGER.

H.R. 2175: Ms. BONAMICI.  
H.R. 2182: Mr. LEVIN of California.

H.R. 2193: Mr. McEACHIN, Mrs. MURPHY of Florida, and Mrs. MCBATH.

H.R. 2199: Mr. GROTHMAN.  
H.R. 2222: Ms. WILLIAMS of Georgia, Ms. DEGETTE, and Ms. SCANLON.

H.R. 2249: Ms. BOURDEAUX, Mr. TIFFANY, and Ms. BROWN of Ohio.

H.R. 2255: Mr. HARDER of California and Mr. CÁRDENAS.

H.R. 2269: Mr. KRISHNAMOORTHY.  
H.R. 2282: Ms. KELLY of Illinois.

H.R. 2377: Mr. KILMER.  
H.R. 2515: Mr. TIFFANY.

H.R. 2538: Mr. BERA.  
H.R. 2565: Mrs. McCLAIN, Ms. STEVENS, Mr. WALTZ, Mr. CÁRDENAS, Ms. KAPTUR, and Mr. SESSIONS.

H.R. 2584: Ms. NORTON and Mr. LEVIN of Michigan.

H.R. 2586: Mr. LEVIN of California and Mr. RUSH.

H.R. 2600: Ms. SALAZAR.  
H.R. 2748: Mr. BURGESS.

H.R. 2800: Mr. GOTTHEIMER.  
H.R. 2820: Mrs. MCBATH, Mrs. STEEL, and Mr. BURCHETT.

H.R. 2827: Ms. SHERRILL.  
H.R. 2834: Ms. NORTON.

H.R. 2837: Mr. RASKIN.  
H.R. 2840: Mr. GARAMENDI, Mr. CLEAVER, and Ms. DELAURO.

H.R. 2898: Mrs. HAYES.  
H.R. 2985: Mr. TRONE.

H.R. 3010: Mr. ALLRED.  
H.R. 3075: Ms. JAYAPAL.

H.R. 3076: Ms. ESHOO and Mrs. SPARTZ.  
H.R. 3085: Mr. DONALDS.

H.R. 3095: Mrs. LURIA, Mr. KILDEE, Ms. KUSTER, Mrs. FLETCHER, Mr. STAUBER, and Mr. GARBARINO.

H.R. 3100: Mr. GRIJALVA and Mr. SWALWELL.

H.R. 3115: Mr. TAKANO.  
H.R. 3172: Mr. SMITH of New Jersey, Mr. VEASEY, Mr. PAPPAS, and Mr. CORREA.

H.R. 3187: Miss RICE of New York.  
H.R. 3252: Mr. BURCHETT.

H.R. 3277: Ms. TITUS.  
H.R. 3295: Mr. DONALDS.

H.R. 3321: Mr. GALLEGO and Ms. BOURDEAUX.

H.R. 3327: Mr. DELGADO.  
H.R. 3400: Mr. ALLRED.

H.R. 3408: Mr. BISHOP of Georgia.  
H.R. 3455: Mr. SIRE.

H.R. 3456: Mrs. FLETCHER.  
H.R. 3466: Mr. CARBAJAL.

H.R. 3474: Ms. ESCOBAR.  
H.R. 3488: Mr. LARSON of Connecticut, Mr. PRICE of North Carolina, Mr. HUFFMAN, Mr. SCHIFF, Mr. CORREA, and Mr. GOMEZ.

H.R. 3498: Mr. DONALDS.  
H.R. 3512: Mr. CARSON.

H.R. 3517: Mr. BUTTERFIELD.  
H.R. 3525: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 3541: Mr. CÁRDENAS, Mr. GREEN of Tennessee, and Mr. NEGUSE.

H.R. 3548: Mr. CLEAVER and Mr. PRICE of North Carolina.

H.R. 3554: Mr. RODNEY DAVIS of Illinois.  
H.R. 3577: Mr. CICILLINE, Mr. OWENS, Mr. HIGGINS of New York, Ms. MCCOLLUM, Mr. BUTTERFIELD, Mrs. KIM of California, and Mrs. NAPOLITANO.

H.R. 3586: Ms. SCHRIER, Mr. COURTNEY, Ms. LEGER FERNANDEZ, Ms. STEVENS, Mr. YARMUTH, Ms. ADAMS, Mr. BOWMAN, Ms. SALAZAR, Ms. SPEIER, and Mr. DEUTCH.

H.R. 3602: Mr. COHEN and Ms. WILD.  
H.R. 3655: Mr. BLUMENAUER.

H.R. 3656: Mr. BLUMENAUER.  
H.R. 3671: Ms. JAYAPAL.

H.R. 3780: Mr. MOULTON and Mr. CARBAJAL.  
H.R. 3807: Mrs. MURPHY of Florida.

H.R. 3843: Mr. SHERMAN.  
H.R. 3858: Mr. ELLZEY.

H.R. 3860: Mr. RODNEY DAVIS of Illinois and Mr. WEBSTER of Florida.

H.R. 3868: Mrs. LESKO.  
H.R. 3883: Ms. SHERRILL.

H.R. 3884: Mr. COHEN.  
H.R. 3932: Mr. DESAULNIER and Mr. BACON.

H.R. 3953: Mr. DEFazio.  
H.R. 3962: Mr. CARTWRIGHT.

H.R. 3990: Mr. PAPPAS.  
H.R. 4017: Mrs. CAROLYN B. MALONEY of New York.

H.R. 4042: Miss GONZÁLEZ-COLON.  
H.R. 4058: Ms. CLARKE of New York.

H.R. 4079: Mr. GALLEGO.  
H.R. 4110: Ms. BONAMICI, Ms. SCHAKOWSKY, Ms. MATSUI, Ms. CASTOR of Florida, Ms. CLARKE of New York, Mr. CÁRDENAS, Mr. RUIZ, Mrs. DINGELL, Mr. VEASEY, Ms. KUSTER, Ms. BARRAGÁN, Mr. McEACHIN, Mr. SOTO, Mr. KILMER, Ms. KAPTUR, Mr. RUPPERSBERGER, and Mr. TRONE.

H.R. 4114: Mr. GARBARINO.  
H.R. 4122: Mr. KIM of New Jersey.  
H.R. 4130: Mr. RUSH and Mr. MEEKS.  
H.R. 4134: Mr. MOULTON.  
H.R. 4141: Mr. HAGEDORN, Ms. DAVIDS of Kansas, Ms. DEAN, Mr. SMITH of Nebraska, and Mr. ADERHOLT.  
H.R. 4146: Mr. DOGGETT.  
H.R. 4148: Ms. LOIS FRANKEL of Florida and Mr. CUELLAR.  
H.R. 4150: Mr. SCHNEIDER.  
H.R. 4166: Mr. MCEACHIN.  
H.R. 4176: Mr. VARGAS, Mr. CORREA, Mr. SCHIFF, Mr. HUFFMAN, Mr. GOMEZ, and Mr. BERA.  
H.R. 4186: Ms. WILLIAMS of Georgia, Mrs. NAPOLITANO, and Ms. SÁNCHEZ.  
H.R. 4277: Mr. WELCH.  
H.R. 4295: Mr. DELGADO.  
H.R. 4311: Mr. CASTRO of Texas.  
H.R. 4402: Mr. ALLRED, Ms. ESCOBAR, and Mr. GOMEZ.  
H.R. 4407: Mrs. BUSTOS.  
H.R. 4476: Mr. DELGADO.  
H.R. 4526: Mr. LEVIN of California.  
H.R. 4575: Mr. GARBARINO and Mr. GRIF-FITH.  
H.R. 4585: Mr. COSTA.  
H.R. 4602: Ms. NORTON.  
H.R. 4634: Mr. KIND.  
H.R. 4677: Mr. PAYNE and Mr. NORCROSS.  
H.R. 4693: Mr. PENCE, Mr. BLUMENAUER, and Mr. LATURNER.  
H.R. 4728: Ms. JACKSON LEE.  
H.R. 4743: Ms. NORTON.  
H.R. 4744: Ms. NORTON.  
H.R. 4750: Mr. COOPER, Ms. JAYAPAL, and Mrs. AXNE.  
H.R. 4758: Mr. THOMPSON of Pennsylvania.  
H.R. 4766: Mr. SMITH of Washington.  
H.R. 4786: Mr. KILMER.  
H.R. 4794: Mr. KILMER.  
H.R. 4803: Mr. SUOZZI and Ms. LEE of California.  
H.R. 4810: Mr. SESSIONS.  
H.R. 4811: Mr. JEFFRIES, Mrs. LAWRENCE, and Mr. DESAULNIER.  
H.R. 4859: Mr. BACON.  
H.R. 4870: Mr. DOGGETT.  
H.R. 4878: Mr. LIEU.  
H.R. 4880: Mr. BANKS and Mr. LEVIN of California.  
H.R. 4917: Ms. SCHAKOWSKY.  
H.R. 4942: Ms. LEE of California.  
H.R. 5019: Ms. ROSS.  
H.R. 5106: Mr. PALMER.  
H.R. 5124: Mr. MICHAEL F. DOYLE of Pennsylvania.  
H.R. 5141: Mr. PERLMUTTER, Ms. DELBENE, Mr. TRONE, Mr. DEUTCH, Mr. PANETTA, Mr. CLEAVER, Mr. HIGGINS of New York, Mr. CLYBURN, Mr. ALLRED, and Ms. HOULAHAN.  
H.R. 5151: Ms. SHERRILL and Mr. CASE.  
H.R. 5174: Mr. MURPHY of North Carolina.  
H.R. 5186: Mr. GOTTHEIMER.  
H.R. 5218: Mr. CLEAVER.  
H.R. 5224: Mr. JACOBS of New York and Ms. MALLIOTAKIS.  
H.R. 5300: Ms. WILLIAMS of Georgia, Ms. WASSERMAN SCHULTZ, and Mr. CÁRDENAS.  
H.R. 5332: Mr. COHEN.  
H.R. 5344: Mr. RUSH.  
H.R. 5429: Mr. DELGADO.  
H.R. 5441: Mr. PALLONE.  
H.R. 5444: Mr. CARBAJAL.  
H.R. 5468: Mr. MCNERNEY and Ms. BARRAGÁN.  
H.R. 5502: Ms. SÁNCHEZ, Mr. DAVID SCOTT of Georgia, Ms. FOX, and Mr. GUEST.  
H.R. 5508: Mr. PALLONE.  
H.R. 5514: Mr. BURGESS.  
H.R. 5528: Mr. CASE.  
H.R. 5533: Mrs. MCBATH.  
H.R. 5536: Mr. CÁRDENAS, Mr. BACON, and Ms. SCHAKOWSKY.  
H.R. 5548: Ms. SHERRILL.  
H.R. 5554: Mr. DEUTCH, Mr. RASKIN, Mr. COHEN, Mr. NEGUSE, and Mr. LIEU.

H.R. 5562: Mr. O'HALLERAN.  
H.R. 5577: Mr. TURNER, Mr. SMITH of New Jersey, Mr. BARR, Mr. LAMALFA, Mr. SCHWEIKERT, Mr. CRENSHAW, Mr. JOHNSON of South Dakota, Mr. VALADAO, Mr. LAHOOD, Mr. LATURNER, Mr. HUDSON, and Mr. MAST.  
H.R. 5581: Mr. DEUTCH.  
H.R. 5585: Ms. JACOBS of California.  
H.R. 5605: Mr. HORSFORD.  
H.R. 5607: Mr. ALLRED.  
H.R. 5611: Ms. CLARKE of New York and Ms. ROYBAL-ALLARD.  
H.R. 5620: Mrs. MILLER-MEEKS.  
H.R. 5651: Ms. NORTON.  
H.R. 5656: Mr. VALADAO.  
H.R. 5718: Mr. JOHNSON of Georgia.  
H.R. 5735: Mr. ALLRED, Mr. WITTMAN, Mr. VELA, Mr. KUSTOFF, Ms. STANSBURY, Mr. DONALDS, Mr. WELCH, and Mr. BABIN.  
H.R. 5737: Mr. NEGUSE.  
H.R. 5744: Mr. YARMUTH, Ms. CHU, and Mr. WELCH.  
H.R. 5754: Mr. PALAZZO.  
H.R. 5761: Mr. TRONE.  
H.R. 5764: Ms. SCHAKOWSKY.  
H.R. 5776: Ms. SHERRILL and Ms. WILLIAMS of Georgia.  
H.R. 5788: Mrs. BICE of Oklahoma and Mr. DELGADO.  
H.R. 5809: Mr. LOWENTHAL and Mr. CÁRDENAS.  
H.R. 5819: Mr. SWALWELL.  
H.R. 5828: Mr. KHANNA.  
H.R. 5842: Ms. BARRAGÁN, Ms. DEAN, Mr. GARCÍA of Illinois, Ms. JACKSON LEE, Mr. LEVIN of Michigan, Mr. MOULTON, Mr. MRVAN, and Ms. PORTER.  
H.R. 5853: Mr. BLUMENAUER, Mr. CONNOLLY, Mr. SMITH of Washington, Ms. TLAIB, Mr. TRONE, Ms. DEAN, and Mr. TORRES of New York.  
H.R. 5888: Mr. DONALDS.  
H.R. 5901: Mr. TIMMONS.  
H.R. 5905: Mr. SOTO, Mr. EVANS, Mrs. MCBATH, Mr. CARTER of Louisiana, Mr. PAPPAS, and Ms. BARRAGÁN.  
H.R. 5919: Mr. CORREA, Ms. MANNING, and Mr. CARBAJAL.  
H.R. 5922: Mr. VARGAS and Ms. LEE of California.  
H.R. 5937: Mr. SCHIFF and Mr. DESAULNIER.  
H.R. 5950: Mr. BACON.  
H.R. 5971: Ms. MACE.  
H.R. 5975: Ms. LETLOW.  
H.R. 5984: Mr. CORREA, Mr. MCGOVERN, Ms. CHU, Mr. JOHNSON of Georgia, Mrs. NAPOLITANO, Mr. PALLONE, Mr. HARDER of California, Mr. ALLRED, Mrs. MCBATH, Mr. CÁRDENAS, Ms. KELLY of Illinois, Ms. LEE of California, Ms. BROWNLEY, Mr. THOMPSON of California, Mr. CARTWRIGHT, Mrs. RODGERS of Washington, and Mr. KIM of New Jersey.  
H.R. 6006: Mr. DONALDS.  
H.R. 6009: Mr. ROSE and Mr. TIFFANY.  
H.R. 6015: Mr. KIND, Mr. RUIZ, Mr. BROWN of Maryland, Mr. DANNY K. DAVIS of Illinois, Mr. SEAN PATRICK MALONEY of New York, Ms. LEE of California, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. BROWN of Ohio, Mr. LEVIN of Michigan, Mr. LANGEVIN, Mr. PERLMUTTER, Ms. KUSTER, Mr. KEATING, Mr. BEYER, Ms. WEXTON, Mr. VELA, Ms. PINGREE, Ms. WATERS, Mr. TORRES of New York, Mr. PAPPAS, Mr. O'HALLERAN, Ms. NEWMAN, Mrs. LEE of Nevada, Mr. MORELLE, Ms. SCHRIER, Mrs. NAPOLITANO, Mrs. KIRKPATRICK, Mr. WELCH, Ms. STRICKLAND, Mr. LAWSON of Florida, Mr. LYNCH, Mr. TONKO, Mr. RUPPERSBERGER, Mr. PALLONE, Mr. MCEACHIN, Mr. JONES, Ms. JACOBS of California, Mr. CARTWRIGHT, Ms. CHU, Mr. COOPER, Mr. COURTNEY, Mr. PAYNE, Ms. BARRAGÁN, Mr. CARBAJAL, Ms. CLARKE of New York, Mr. HARDER of California, Mr. HIGGINS of New York, Mr. HORSFORD, Ms. KAPTUR, Mr. KILDEE, Mr. LIEU, Ms. LOFGREN, Mr. MEEKS, Mr. MRVAN, Ms. OMAR, Mr. PHILLIPS, Ms. STANSBURY, Mr. VEASEY, and Mr. CORREA.

H.R. 6016: Mr. JACOBS of New York.  
H.R. 6020: Mr. KILMER, Mr. KIM of New Jersey, Mr. GREEN of Tennessee, and Ms. WILLIAMS of Georgia.  
H.R. 6023: Mrs. DINGELL, Ms. KAPTUR, Mr. QUIGLEY, Mrs. MCBATH, Mrs. CAROLYN B. MALONEY of New York, Mr. ESPAILLAT, Mr. LOWENTHAL, Mr. CONNOLLY, Mr. MEEKS, Mr. COHEN, Ms. NORTON, Mr. KRISHNAMOORTHY, Mr. PALLONE, Mr. THOMPSON of California, Ms. TITUS, Mr. CASE, Ms. MCCOLLUM, and Mr. YOUNG.  
H.R. 6024: Mr. PHILLIPS.  
H.R. 6056: Mr. SMUCKER.  
H.R. 6059: Ms. NORTON, Mr. HORSFORD, and Mr. KHANNA.  
H.R. 6069: Mrs. KIM of California.  
H.R. 6089: Mr. SMITH of Nebraska.  
H.R. 6095: Mr. TAKANO and Ms. JAYAPAL.  
H.R. 6096: Ms. SHERRILL and Mr. CASE.  
H.R. 6107: Mr. TAKANO.  
H.R. 6114: Mr. SMITH of Nebraska.  
H.R. 6121: Mr. DANNY K. DAVIS of Illinois, Mr. CRAWFORD, Mr. MRVAN, and Mr. BUCSHON.  
H.R. 6122: Mr. FITZPATRICK.  
H.R. 6123: Mr. FITZGERALD.  
H.R. 6128: Mr. DONALDS.  
H.R. 6132: Mr. FITZPATRICK and Mrs. MILLER-MEEKS.  
H.R. 6133: Mr. LOUDERMILK.  
H.R. 6144: Mr. KUSTOFF and Mr. ESTES.  
H.R. 6145: Mr. MULLIN and Mr. LATURNER.  
H.R. 6152: Mr. DELGADO.  
H.R. 6161: Mr. MEUSER, Ms. NORTON, Ms. MANNING, Mr. PHILLIPS, Mr. WILSON of South Carolina, and Mr. DELGADO.  
H.R. 6173: Mr. MCKINLEY and Mr. WENSTRUP.  
H.R. 6175: Mr. LATURNER, Mr. ESTES, and Ms. DAVIDS of Kansas.  
H.R. 6178: Mr. RODNEY DAVIS of Illinois and Mr. WEBER of Texas.  
H.R. 6184: Mr. ROGERS of Kentucky, Mr. HILL, Mr. KUSTOFF, and Mr. BUDD.  
H.R. 6186: Mr. MAST and Mr. VAN DREW.  
H.R. 6202: Mr. DEFazio, Mrs. STEEL, and Mr. CASE.  
H.R. 6205: Mr. BOWMAN.  
H.R. 6206: Mr. BABIN and Mr. GOSAR.  
H.R. 6207: Mr. CASTEN, Mr. CARTWRIGHT, Mr. THOMPSON of California, Mr. GALLEG0, Ms. ESCOBAR, Mrs. DEMINGS, Mr. MCNERNEY, Ms. WASSERMAN SCHULTZ, Mr. RASKIN, Mr. RUSH, Ms. WILD, Mr. CORREA, Mr. CLEAVER, Mr. AUCHINCLOSS, Mr. DOGGETT, Mr. LARSEN of Washington, Mr. PASCRELL, Ms. WILLIAMS of Georgia, Ms. SALAZAR, Mr. HUFFMAN, Ms. NEWMAN, Ms. DEAN, Mr. COHEN, Mr. GOTTHEIMER, Ms. ROSS, Mr. CARSON, Mr. SWALWELL, Mr. DEUTCH, Ms. PORTER, Mr. SUOZZI, and Ms. SLOTKIN.  
H.R. 6219: Mrs. TRAHAN and Mrs. WATSON COLEMAN.  
H.R. 6222: Ms. CHU and Mr. CÁRDENAS.  
H.R. 6223: Mr. BIGGS, Mrs. LESKO, Mr. CRAWFORD, and Mr. STEUBE.  
H.R. 6225: Ms. NORTON, Mr. AUCHINCLOSS, and Mr. PAYNE.  
H.R. 6226: Mr. SMITH of Nebraska.  
H.R. 6228: Mr. TRONE and Ms. WILLIAMS of Georgia.  
H.R. 6229: Mr. DIAZ-BALART.  
H.R. 6232: Mr. NEWHOUSE, Mr. BAIRD, and Mr. PANETTA.  
H.R. 6234: Mr. PASCRELL.  
H.R. 6235: Mrs. WALORSKI, Mr. LATURNER, Mr. BAIRD, Mr. BABIN, Mr. RESCHENTHALER, Mr. JOHNSON of Louisiana, and Ms. GRANGER.  
H.R. 6237: Mr. RODNEY DAVIS of Illinois, Mr. CRAWFORD, Ms. MALLIOTAKIS, and Mr. BABIN.  
H.R. 6238: Mr. BOWMAN and Ms. BUSH.  
H.R. 6239: Mr. BUDD, Mr. BUCSHON, Mr. WENSTRUP, Mrs. HINSON, and Mr. RUTHERFORD.  
H.R. 6247: Mr. PALAZZO and Mr. DESJARLAIS.  
H.J. Res. 53: Mr. COOPER.

H. Con. Res. 19: Mr. PHILLIPS, Mr. MORELLE, Ms. TITUS, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. KAPTUR, Mr. RUIZ, Ms. WEXTON, Mr. CUELLAR, and Ms. LEGER FERNANDEZ.

H. Con. Res. 21: Mr. LATURNER.  
H. Con. Res. 57: Mr. LATTA.  
H. Res. 47: Mr. CORREA.  
H. Res. 49: Ms. NORTON.  
H. Res. 366: Mr. MANN.  
H. Res. 404: Mr. SWALWELL.  
H. Res. 586: Ms. VELÁZQUEZ.  
H. Res. 645: Mr. CALVERT.  
H. Res. 794: Mr. KIM of New Jersey.  
H. Res. 812: Ms. WILLIAMS of Georgia and Mr. LYNCH.  
H. Res. 831: Mr. FITZPATRICK, Mr. VARGAS, Mr. ISSA, and Mr. SMITH of Nebraska.  
H. Res. 846: Mr. CASE.

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#### PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

PT-87. The SPEAKER presented a petition of the Board of Supervisors of the City and County of San Francisco, CA, relative to Resolution No. 444-21, supporting the Green New Deal for Public Schools Act of 2021 (H.R. 4442), to invest \$1.43 trillion to provide green renovations and retrofits to public schools to meet health, accessibility, safety needs, identify and alleviate educational and economic disparities among students, and provide funding for special education services; to the Committee on Education and Labor.

PT-88. Also, a petition of the Board of Supervisors of the City and County of San Francisco, CA, relative to Resolution No. 443-21, retroactively declaring August 30 as International Day of the Victims of Enforced Disappearances, and observing this date every year thereafter, and condemning enforced disappearances in El Salvador; to the Committee on Oversight and Reform.

PT-89. Also, a petition of the Board of Supervisors of the City and County of San Francisco, CA, relative to Resolution No. 509-21, urging the United States Senate to re-

authorize the Violence Against Woman Act; to the Committee on the Judiciary.

PT-90. Also, a petition of the Board of Supervisors of the City and County of San Francisco, CA, relative to Resolution No. 409-21, supporting California State Senate Joint Resolution No. 8, introduced by Senator Caballero to urge the President and the Congress of the United States to amend specified provisions of the federal Social Security Act to allow recipients of disabled adult child benefits under the act to continue to receive those benefits upon marriage; to the Committee on Ways and Means.

PT-91. Also, a petition of the City Commission of Miami, FL, relative to Resolution R-21-0430, urging President Joseph R. Biden and his administration, including United States Secretary of State Anthony Blinken, to designate the Frente Sandinista De Liberacion Nacional as a Foreign Terrorist Organization; jointly to the Committees on the Judiciary and Foreign Affairs.